

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TADAAKI MINOURA, TORU TACHIBANA,
and YUGO TANABE

Appeal No. 1999-1591
Application No. 08/665,616

ON BRIEF

Before RUGGIERO, DIXON, and LEVY, **Administrative Patent Judges**.
DIXON, **Administrative Patent Judge**.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 12-15, which are all of the claims pending in this application.

We REVERSE.

BACKGROUND

The appellants' invention relates to a method for displaying a window where the size of the window is automatically resized in response to a deletion and/or an addition to the window. An understanding of the invention can be derived from a reading of exemplary claim 12, which is reproduced below.

12. A method for displaying objects within a computer system, said method comprising the steps of:

displaying a plurality of windows within said computer system;

identifying a first group of related objects within a first borderless window which encompasses said first group of related objects;

creating a first borderless window which encompasses said first group of related objects;

selecting a particular one of said first group of related objects;

changing a display attribute of said first borderless window in response to selection of said particular one of said first group of related objects;

deleting said particular one of said first group of related objects; and

automatically altering said first borderless window to encompass only said remaining related objects within said first group without extra space therein in response to said deletion.

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The prior art reference of record relied upon by the examiner in rejecting the appealed claims is:

Cline et al. (Cline)	5,546,520	Aug. 13, 1996 (Filed Sep. 30, 1994)
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Claims 12-15 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cline.

Rather than reiterate the conflicting viewpoints advanced by the examiner and appellants regarding the above-noted rejections, we make reference to the examiner's final rejection (Paper No. 6, mailed Mar. 3, 1998) and the examiner's answer (Paper No. 13, mailed Oct. 27, 1998) for the examiner's reasoning in support of the rejections, and to appellants' brief (Paper No. 12, filed Sep. 15, 1998) for appellants' arguments thereagainst.

OPINION

In reaching our decision in this appeal, we have given careful consideration to appellants' specification and claims, to the applied prior art reference, and to the respective positions articulated by appellants and the examiner. As a consequence of our review, we make the determinations which follow.

Appellants argue that Cline does not teach or suggest the automatic resizing of a window in response to the deletion of an object from the window. (See brief at page 4.)

We agree with appellants. The examiner maintains that Cline teaches the automatic resizing of the window and relies on the statement in Cline that the system “dynamically reshapes the window.” (See answer at page 3 citing Cline at col. 3, lines 19-21 and 22-27 and col. 5, lines 7-40.) While we agree with the examiner that Cline states that the reshaping is "dynamically" performed, in our opinion, this pertains only to the dynamic nature of the window as it is being scrolled by the user and the additional portions of the window to be displayed are reshaped as the scrolling is requested. Here, this is in response to the user actuation of the reshape icons 305 and 306. With reference to the examiner’s reliance on col. 5, Cline states that “FIG. 6 is a pictorial view of the resizable windows of FIG. 3, showing the scroll bar feature according to the preferred embodiment. Referring to FIGS. 5 and 6, after reshaping the window at **565** to the shrink wrap mode at **570**, the user makes a determination as to whether he/she desires to scroll the text in the window.” If no scrolling is done, the user decides if the original window is desired and the original window is retrieved. Otherwise, control returns to 570 monitoring a scroll command.

In our opinion, Cline is concerned only with the display of a static window (of text) which is solely for display and user viewing thereof in the preferred mode. Cline is silent as to any modification of the displayed text, and contrary to the examiner's statements concerning the inherent ability to delete text in a text-based system (final rejection at page

4), the examiner has not addressed the specific limitations of claim 12 with respect to “automatically altering said first borderless window to encompass only said remaining related objects within said first group without extra space therein in response to said deletion.” (Emphasis added.) We disagree with the examiner's position that there would be editing of the data in either one of the modes of the GUI. For example, Cline discloses that the original data is stored and may be restored if no scrolling of the data is desired to view additional portions of the window of text. Cline does not discuss the storage of modified data, but only discloses the re-display of the original window, not the original window format for the modified data.

Furthermore, spanning columns 1 to 2, Cline discloses the desire to have a technique that enables a user to modify the shape of a window so that the window is the smallest possible size, yet continues to display its contents. Thus, in our view, this is a system for a small display for viewing of the window(s) and not a system for modifying data in the reshaped window.

In our view, at most, the system of Cline allows the user to modify data in the original window and to then actuate the icon 305 to reshape the modified data. The GUI would then reshape the data in the window, but if any changes were desired, the user would be required to go to the original window and again actuate the reshape icon to reshape the modified text.

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Appellants argue that the flowchart of Cline and the corresponding disclosure make clear that the reshaping done by Cline is done by user intervention. (See brief at page 4-5.) In response, the examiner states that the portion of Cline cited by appellants is directed to the setting of the preference and therefore, the examiner concludes that this argument is not persuasive. (See answer at page 4.) We disagree with the examiner. The portion of Cline cited by appellants does refer to the reshaping. Rather, step 520 of Cline teaches the setting of the preference by the user. Therefore, the examiner has not responded to appellants' arguments with respect to user intervention, and we agree with appellants that Cline does not teach or suggest "automatically altering said first borderless window to encompass only said remaining related objects within said first group without extra space therein in response to said deletion" as recited in independent claim 12.

Since appellants have shown error in the examiner's presentation of a *prima facie* case of obviousness and the examiner has not responded to appellants' arguments with any showing or convincing line of reasoning, we will not sustain the rejection of claim 12. Nor will we sustain the rejection of independent claim 14, which contains similar limitations, and dependent claims 13 and 15.

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CONCLUSION

To summarize, the decision of the examiner to reject claims 12-15 under 35 U.S.C. § 103 is reversed.

REVERSED

JOSEPH F. RUGGIERO)	
Administrative Patent Judge)	
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JOSEPH L. DIXON)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
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STUART S. LEVY)	
Administrative Patent Judge)	

JLD:clm

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