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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte SREEKUMAR K. SESHADRI¹

Appeal 2010-005533
Application 10/709,791
Technology Center 2100

Before DENISE M. POTHIER, JEFFREY S. SMITH,
and JAMES B. ARPIN, *Administrative Patent Judges*.

ARPIN, *Administrative Patent Judge*.

DECISION ON APPEAL
STATEMENT OF THE CASE

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1-4, 6-10, 12-22, 27, 29, and 30. Claims 5, 11, 23-26, and 28 are cancelled. App. Br. 2.² We have jurisdiction under 35 U.S.C. § 6(b). We affirm.

¹ Oracle International Corporation is the real party in interest.

² Throughout this opinion, we refer to (1) the Appeal Brief (App. Br.) filed June 10, 2009; (2) the Examiner's Answer (Ans.) mailed September 2, 2009; and (3) the Reply Brief (Reply Br.) filed November 2, 2009.

INVENTION

Appellant's invention relates to methods and computer-readable media for use in digital processing systems to enable users to have custom desired experiences while accessing electronic files. *See generally* Spec. ¶ [0002]. Claims 1 and 10 are illustrative and are reproduced below with disputed limitations emphasized:

1. A method implemented in a digital processing system to enable a user to have a custom desired experience *while accessing electronic files using an application*, each electronic file storing content in the form of corresponding data, said method being performed in said digital processing system, said method comprising:
 - providing said user the ability to specify a first experience profile associated with a first electronic file and a second experience profile associated with a second electronic file, said first experience profile being provided external to said first electronic file and said second experience profile being provided external to said second electronic file, said first experience profile containing a first set of values for a first set of experience attributes and said second experience profile containing a second set of values for a second set of experience attributes;*
 - storing a first entry indicating that said first experience profile is associated with said first electronic file and a second entry indicating that said second experience profile is associated with said second electronic file, both of said first entry and said second entry being stored in a memory, said first entry being stored in response to said user specifying that said first experience profile is associated with said first electronic file and said second entry being stored in response to said user specifying that said second experience profile is associated with said second electronic file;*
 - receiving a first request to open said first electronic file and a second request to open said second electronic file, wherein both of said first request and said second request are received after said storing of said first entry and said second entry in said memory;*
 - controlling said first set of experience attributes according to said first set of values based on said first entry in said memory*

while providing access to *a substantial portion* of the data stored in said first electronic file using said application in response to said first request; and

controlling said second set of experience attributes according to said second set of values based on said second entry in said memory while providing access to *a substantial portion* of the data stored in said second electronic file using said application in response to said second request.

10. A method of enabling a user *to play desired songs while editing the content of corresponding files*, said method comprising:
 - enabling said user to specify an experience attribute associated with a first electronic file and a value for said experience attribute, wherein said experience attribute identifies another file containing data representing a song;
 - receiving an input to open said first electronic file;
 - opening said first electronic file using a word processing application to enable said user to edit a substantial portion of the data stored in said first electronic file in response to receiving said input*; and
 - playing said song also in response to receiving said input*, wherein said song is played also in response to said user specifying said experience attribute associated with said electronic file while said user edits the data stored in said first electronic file using said word processing application.

The Examiner relies on the following as evidence of unpatentability:

Stucka	US 5,596,702	Jan. 21, 1997
Novak	US 2002/0101444 A1	Aug. 1, 2002
Craycroft	US 2002/0149629 A1	Oct. 17, 2002

THE REJECTION

The Examiner rejected claims 1-4, 6-10, 12-22, 27, 29, and 30 under 35 U.S.C. § 103(a) as unpatentable over Craycroft, Novak, and Stucka. Ans. 3-13.

OBVIOUSNESS REJECTION OVER
CRAYCROFT, NOVAK, AND STUCKA

Regarding illustrative claim 1, the Examiner finds that Craycroft teaches or suggests all of the limitations of claim 1 (Ans. 3-4), except for a second experience profile containing a second set of values for a second set of experience attributes associated with and for controlling a second electronic file (Ans. 3-4). The Examiner finds, however, that Novak teaches or suggests a second experience profile containing a second set of values for a second set of experience attributes associated with a second electronic file. Ans. 4. The Examiner concludes that it would have been obvious to combine the Craycroft and Novak to achieve a different look for various applications and user interfaces. *Id.* Further, the Examiner finds that Stucka teaches a second set of values for controlling a second electronic file and a second entry which indicates that the second experience profile is associated with the second electronic file and which is stored to and loaded from a memory. *Id.* Therefore, the Examiner concludes that a person of ordinary skill in the relevant art would have a reason to combine Stucka's teaching regarding control of a second electronic file with the custom experience taught by Craycroft and Novak to achieve "a greater degree of control over the interface through file and application interaction." *Id.*

Independent claim 14 is substantially similar to claim 1, but claim 14 lacks the storing limitation of claim 1. App. Br. 26. Therefore, the Examiner rejects claim 14 based on the same combination of references and for substantially the same reasons as claim 1. Ans. 10-11.

Independent claim 29 is substantially similar to claim 1, but, like claim 14, claim 29 lacks the storing limitation of claim 1 and includes a default value specified by an application or an operating system executing

the application, which default value may be overridden by attribute values in the first experience profile or values internal to the first electronic file. App. Br. 30. The Examiner finds, however, that the same combination of references applies to this claim and that the additional limitations are taught or suggested by Craycroft's disclosure of an "Apple default" (Ans. 6 (citing Craycroft, Fig. 11)) and Stucka's disclosure of a default hierarchy (Ans. 6-7 (citing Stucka, col. 10, ll. 1-45)). Ans. 13 (noting that claims 29 and 30 are rejected under the same rationale as claim 8).

Unlike claims 1, 14, and 29, independent claim 10 only recites limitations with respect to a first electronic file and recites that the first electronic file includes an experience attribute that identifies another file containing data representing a song. App. Br. 25. According to claim 10, when the first electronic file is opened, the user is enabled to edit a "substantial portion" of the data stored in the first electronic file. *Id.* Nevertheless, the Examiner finds that the same combination of references applies to this claim and that these additional limitations are taught or suggested by Novak. Ans. 8-9, 17 (citing Novak, ¶¶ [0160]-[0161]; Fig. 14).

Appellant argues that Craycroft, Novak, and Stucka fail to teach or suggest all of the limitations of claims 1, 10, 14, 29, and 30. App. Br. 13-16, 18-21; Reply Br. 2-4, 6-7. Further, Appellant argues that the Examiner fails to consider the alleged benefits of Appellant's invention when considering the proposed combination of references (App. Br. 16; Reply Br. 5); that the Examiner misconstrues the combined references (App. Br. 16-17); that the combined references are not analogous art (App. Br. 17-18; Reply Br. 5); and that the technologies of the combined references are different, such that the references cannot operate in combination (App. Br. 18).

ISSUES

(1) Under § 103, has the Examiner erred in rejecting claim 1 by finding that Craycroft, Novak, and Stucka, collectively, would have taught or suggested all of the limitations of that claim?

(2) Is the Examiner's reason to combine the teachings of Craycroft, Novak, and Stucka supported by articulated reasoning with some rational underpinning to justify the Examiner's obviousness conclusion with respect to claim 1?

(3) Under § 103, has the Examiner erred by finding Craycroft, Novak, and Stucka, collectively, would have taught or suggested:

(a)

[a] default value is specified by at least one of said application and an operating system executing said application; and

. . . each of said first set of values for a corresponding attribute is formed from said default value overridden by a value specified in said first experience profile for the same attribute if present within said first experience profile, which is further overridden by another value internal to said first electronic file for the same attribute if present within said first electronic file,

as recited in claim 29?

(b) "opening said first electronic file using a word processing application to enable said user to edit a substantial portion of the data stored in said first electronic file in response to receiving said input," as recited in claim 10?

ANALYSIS

1. *Claims 1-4, 6-9, 14-22, and 27.*

Based on the record before us, we find no error in the Examiner's rejection of representative claim 1. Appellant argues that independent claim 1 includes at least the following features:

(F1) the user be provided the ability to specify different experience profiles in relation to different electronic files **in the same digital processing system;**

(F2) entries indicating the association of different electronic files with corresponding experience profiles **be stored in a memory;**

(F3) requests to **open the two electronic files** be received **after the entries are stored in the memory;**

(F4) the files be opened in response to the open requests and **the experience for the respective files be controlled according to the entries** stored in the memory;

(F5) access **to content** of both the files be provided using **the same application;**

(F6) access to **a substantial portion** of the data stored in each file be provided; and

(F7) the **experience profiles be external** to the electronic files.³

App. Br. 13-14 (emphases in original); Reply Br. 2. Appellant identifies these features in the arguments (App. Br. 13-16; Reply Br. 2-4), and, in turn,

³ With respect to feature F6, Appellant merely argues that Craycroft's data would not be "substantial." App. Br. 16 (emphasis omitted). Appellant provides no evidence to support this argument. It is well settled that arguments of counsel cannot take the place of factually supported objective evidence. *See In re Huang*, 100 F.3d 135, 139-40 (Fed. Cir. 1996). Further, Appellant makes no arguments regarding feature F7. Therefore, we do not consider feature F6 or F7 further.

the Examiner refers to the identified feature in responding to Appellant's arguments (Ans. 13-15). Nevertheless, we consider these features only to the extent that they are related to the language of representative claim 1.

Initially, Appellant argues that Craycroft describes a method of creating a theme which would affect the display of the content of a file, and which would also affect the display of all other files by that program. App. Br. 14. Similarly, Appellant argues that Novak describes opening a file to play a song or a playlist, such that a skin⁴ change would affect all songs played thereafter. *Id.* Appellant then argues that Stucka describes sharing user interface displays across multiple application programs, such that a change in user interface would affect access to all files controlled by that application. *Id.* Thus, Appellant contends that neither Craycroft nor Novak nor Stucka teaches or suggests tailoring separate files to have different displays. *Id.* We disagree.

Appellant misunderstands the Examiner's combination of the teachings of these references. "The test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art." *In re Keller*, 642 F.2d 413, 425 (CCPA 1981); *see also In re Sneed*, 710 F.2d 1544, 1550 (Fed. Cir. 1983) ("[I]t is not necessary that the inventions of the references be physically combinable to render obvious the invention under review."). Rather, "if a technique has been used to improve

⁴ Novak describes a "skin" as the visual portion of a user interface, e.g., "the portion that a user sees when [he or she] interact[s] with an application." Novak, ¶ [0004].

one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill.” *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 417 (2007). Thus, the Examiner is not simply combining steps or portions of the steps of the methods described by Craycroft, Novak, and Stucka. Instead, the Examiner finds here that, in view of the techniques taught or suggested by Novak and Stucka, a person of ordinary skill in the relevant art would have reason to modify the teachings of Craycroft to achieve Appellant’s invention, as recited in claim 1.

In particular, the Examiner finds that Craycroft teaches or suggests that a theme corresponding to a first experience profile may be associated with a first electronic file (Ans. 3 (citing Craycroft, Fig. 2C (“Look and Feel”)); *see also* Craycroft, ¶ [0038] (discussing themes in regard to Figures 2C-2E)); that the theme may be external to the electronic file (Ans. 3 (citing Craycroft, Figs. 2A-2C (“Views” of Figure 2C control files such as “untitled 2”))); that the theme may contain values that correspond to theme attributes (Ans. 3-4 (citing Craycroft, Fig. 2C (“Font for views,” “Icon Views,” and “List Views”))); and that the identification of a selected theme, corresponding to a first entry, may be stored to or retrieved from memory (Ans. 3-4 (citing Craycroft, Figs. 2C-2E (depicting alternative themes))). Appellant argues that Craycroft applies the selected “theme” (or experience profile) to all files in a particular application. App. Br. 14. Even if correct, the Examiner does not rely on Craycroft to teach or suggest applying different experience profiles to different electronic files. Ans. 4.

The Examiner, instead, finds that Novak teaches or suggests that first and second electronic files may be assigned first and second experience

profiles, respectively. Ans. 4 (citing Novak, ¶ [0003]; Figs. 18-22 (depicting the setting of volume levels)). In particular, Novak states that, “against the backdrop of *standardized* [user interfaces (UIs)], there began to surface concerns associated with providing the ability to impart a *different* look to *various* UIs.” Novak, ¶ [0003] (emphases added). In view of Novak’s focus on branding by and flexibility in the selection of skins, the Examiner finds that a person of ordinary skill in the relevant art would have reason to combine the teachings of Craycroft and Novak to achieve the limitations of claim 1, except for those relating to a second set of values for controlling the a second electronic file and to a second entry which may be stored to and loaded from memory. Ans. 4. We agree. Moreover, the Examiner relies on Stucka to supply the remaining limitations and to tie the teachings of Craycroft and Novak together. *Id.*

Referring to Stucka’s Figures 4 and 5, the Examiner finds that Stucka teaches or suggests that one of a plurality of interfaces, Interface-1 thru Interface-N, may be associated with at least one of a plurality of applications, Application-A thru Application-Z. Ans. 13, 15. The Examiner finds that Stucka’s interfaces correspond to Appellant’s experience profiles. *See* Stucka, col. 6, ll. 25-65. Stucka states that user interfaces may consist of sub-hierarchies of interface user components and that if, for example, “the user selects the print function[,] the application will command the user interface server [(UIS)] to load the print sub-hierarchy from the display object store.” Stucka, col. 10, ll. 23-35 (cited at Ans. 4). Thus, the Examiner finds that Stucka teaches or suggests that a particular interface may be associated with a particular application and that an entry identifying the interface associated with the application may be stored to and loaded

from memory. Ans. 13, 15. Further, referring to Stucka's Figure 5, which depicts the display object store, we note that the display object store contains Interface-1 thru Interface-N and that Stucka explains that "[t]he user interfaces are stored *externally* from the UIS, window management system, and the applications. . . . The UIS can retrieve user interfaces from the display object store or have the display object store retrieve a specified user interface or a list of user interface names." Stucka, col. 17, ll. 1-11 (describing the display object store depicted in Figure 5) (emphasis added). Therefore, the Examiner concludes that a person of ordinary skill in the relevant art would combine Stucka's teachings regarding the external storage and the retrieval of an interface that is associated with an application, with Craycroft and Novak, to achieve Appellant's invention as described in claim 1. Ans. 4. We agree.

We are not persuaded otherwise by Appellant's arguments regarding features F1-F7. With respect to feature F1, Appellant argues that, although claim 1 recites that "users" specify different experience profiles, Stucka contemplates that "developers" provide an application with a "user" interface. App. Br. 15; *see* Stucka, col. 1, ll. 18-21. Appellant argues that developers cannot be equated with users. App. Br. 15. Appellant, however, misunderstands the Examiner's combination of the references. The Examiner does not rely upon Stucka to teach or suggest the user specification of experience profiles and does not attempt to equate developers with users. Ans. 3. As the Examiner explains, the *combination* teaches or suggests "providing said user the ability to specify a first experience profile associated with a first electronic file and a second experience profile associated with a second electronic file" because Stucka

teaches or suggests that a particular interface may be associated with a particular application. Ans. 13.

With respect to features F2 and F3, Appellant argues that, because none of the combined references describes associating a change in a user interface with an individual electronic file, as opposed to an application, no entry related to an individual electronic file can be stored in memory (F2), and no request to open the files can be received “after” the entries are stored (F3). App. Br. 13. Again, Appellant misunderstands the Examiner’s combination of the references. As the Examiner notes, Craycroft teaches or suggests that a theme, e.g., a first experience profile, may be associated with all of the electronic files accessed through an application. Ans. 3, 13-14. Stucka teaches that application programs and interfaces may be stored in memory, that such programs may be associated with a particular interface, and that a previously-associated interface may be retrieved when the program is opened. Ans. 13-14 (citing Stucka, col. 7, l. 54–col. 8, l. 3), *see also* Stucka, col. 8, ll. 4-5 (discussing the interaction of user interface server 48 with display object store 46). Thus, the Examiner appropriately applies Stucka’s teaching to Craycroft and Novak to find that the combination teaches or suggests “receiving a first request to open said first electronic file and a second request to open said second electronic file, wherein both of said first request and said second request are received after said storing of said first entry and said second entry in said memory.”

Referring to features F3 and F4, Appellant argues that Stucka relates to sharing user interface displays among multiple application programs. App. Br. 14. Hence, Appellant argues that changes to Stucka’s user interfaces would affect access by the application program to all files. *Id.*

Consequently, Appellant argues that no request to open the files can be received “after” the entries are stored for particular electronic files (F3) and that, because, Stucka’s changes affect the entire application, the experiences for the respective files are not controlled according to the entries (F4). *Id.* For the reasons set forth above, we remain unpersuaded by Appellant’s arguments concerning feature F3. Regarding feature F4, Appellant again misunderstands the Examiner’s combination of the references. The Examiner relies upon the teachings of Novak, rather than Stucka, to teach or suggest that “experience profiles” may be applied to different electronic files which are governed by the same application. Ans. 4, 14-15. Therefore, we are unpersuaded by Appellant’s arguments.

Referring to feature F5, Appellant argues that the proposed combination of references fails to teach or suggest that the first and second electronic files are provided using “the *same* application.” App. Br. 13-15; Reply Br. 2-4; *see also* App. Br. 16-17 (arguing that the Examiner misconstrues Stucka because Stucka’s Application A-Application Z do not correspond to the claimed “application”). Claim 1 recites that the method enables a user to have a custom desired experience “while accessing electronic files using an application.” Initially, we note that, in patent claims, the indefinite article “a” or “an” means “one or more.” *KCJ Corp. v. Kinetic Concepts, Inc.*, 223 F.3d 1351, 1356 (Fed. Cir. 2000). Moreover, this construction is consistent with the description of an embodiment of Appellant’s invention depicted in Figure 5. *See* Spec. ¶¶ [0017], [0052] (describing application blocks 510-A and 510-B). Nevertheless, Appellant notes that each of Craycroft, Novak, and Stucka uses the term “application” and argues that, because these uses are not identical to Appellant’s use of the

term “application,” the combination does not teach or suggest Appellant’s claimed invention. App. Br. 13-15; Reply Br. 2-4. The test for obviousness, however, is what the combined teachings of those references would have suggested to those of ordinary skill in the art. Because we do not find that claim 1 is limited to accessing an electronic file through a single application and because the Examiner has demonstrated that the combined references teach or suggest accessing files through one or more “applications,” we are not persuaded by Appellant’s arguments regarding this feature.

Appellant cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. *See Keller*, 642 F.2d at 426; *In re Merck & Co., Inc.*, 800 F.2d 1091, 1097 (Fed. Cir. 1986). For this reason, as well as the reasons discussed above, we are not persuaded by Appellant’s arguments with respect to the alleged absence of features F1-F5 from particular references.

Appellant raises three additional arguments regarding the appropriateness of the Examiner’s combination of Craycroft, Novak, and Stucka. First, Appellant argues that the Examiner has failed to demonstrate that the new benefits of the claimed invention are taught or suggested by the combined references. App. Br. 16; Reply Br. 5. We disagree and note that, for the reasons discussed above, the Examiner has demonstrated sufficiently that the combined references teach or suggest providing a user with different desired experiences associated with accessing different electronic files. Ans. 3-4, 13-17. Thus, we find that the Examiner has adequately addressed these benefits, as argued by the Examiner. *See* MPEP § 707.07(f).

Second, Appellant argues that the “environments” of the combined references are fundamentally different, such that their combination is

improper. App. Br. 17-18; Reply Br. 5-6. As the U.S. Supreme Court explained in *KSR*,

[w]hen a work is available in one field of endeavor, design incentives and other market forces can prompt variations of it, *either in the same field or a different one*. If a person of ordinary skill can implement a predictable variation, § 103 likely bars its patentability. For the same reason, if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill.

550 U.S. at 417 (emphasis added). Even if the technologies represented by the combined references are not the same, that does not, in and of itself, prevent their combination in the manner proposed by the Examiner.

Moreover, although Stucka describes actions by application developers (*e.g.*, Stucka, col. 1, ll. 18-21), Stucka teaches or suggests the dynamic sharing of “user” interfaces and “user” interface components (*e.g.*, *id.* at ll. 16-18).

Thus, we are not persuaded that the teachings of Stucka may not be combined with those of Craycroft and/or Novak.

Third, Appellant argues that, because the environments of the three references are in fundamentally different technology areas, the Examiner’s combination of these references relies on impermissible hindsight. App. Br. 18. In a sense, any judgment on obviousness is necessarily a reconstruction based on hindsight reasoning. Because we are not persuaded that the references are from fundamentally different technology areas, Appellant fails to demonstrate that the Examiner improperly relied on knowledge gleaned *only* from Appellant’s disclosure. *In re McLaughlin*, 443 F.2d 1392, 1395 (CCPA 1971).

For the foregoing reasons, Appellant has not persuaded us of error in the obviousness rejection of independent claim 1 or of independent claim 14 and dependent claims 2-4, 6-9, 15-22 and 27, which are not separately argued with particularity. App. Br. 19, 21. Therefore, we sustain the rejection of these claims.

2. *Claims 29 and 30.*

Based on the record before us, we do not find that the Examiner erred by finding that Craycroft, Novak, and Stucka, collectively, would have taught or suggested the allegedly missing limitation of claim 29. App. Br. 30. With respect to the independent claim 29, Appellant argues that Craycroft, Novak, and Stucka fail to teach or suggest limitations of claim 29 that are shared by claim 1. App. Br. 19-20 (arguing that the combination would apply the same experience profile to all of the electronic files); *see also* Reply Br. 6 (discussing the application of Craycroft's theme to all of its electronic files). Appellant makes substantially the same arguments regarding the rejection of dependent claim 30. App. Br. 20-21. In view of the foregoing discussion of the Examiner's rejection of claim 1, we find these arguments unpersuasive.

In addition, Appellant argues that the Examiner relies on different disclosures in the Examiner's Answer, i.e., Craycroft, Fig. 11 (describing "Apple Default"), from those relied upon in the Final Rejection. Reply Br. 6. We note, however, that, in the Final Rejection, the Examiner referred to the rationale for rejecting claim 8 in rejecting claim 29 and 30. Final Rej. 12; *see also* Ans. 13. Because the Examiner relied on Craycroft's Figure 11 in rejecting claim 8 (*see* Final Rej. 5-7; Ans. 6-7), we find these arguments unpersuasive.

For the foregoing reasons, Appellant has not persuaded us of error in the obviousness rejection of: (1) independent claim 29 and (2) dependent claim 30. Therefore, we sustain these rejections.

3. *Claims 10, 12, and 13.*

Based on the record before us, we do not find that the Examiner erred by finding that Craycroft, Novak, and Stucka, collectively, would have taught or suggested the allegedly missing limitation of claim 10. App. Br. 25. In particular, Appellant argues that claim 10 recites that “opening said first electronic file using a word processing application to enable said user to edit a substantial portion of the data stored in said first electronic file *in response to receiving said input*; and playing said song also *in response to receiving said input*” (emphases added) and that this recitation requires a “single open action” both to open the first electronic file for editing of that file and for playing a song. App. Br. 18-19. Nevertheless, we do not find that Appellant’s claim 10 requires that “an input” comprises only a single open action, nor does Appellant identify claim language or disclosure in the Specification requiring this construction. *Id.* As noted above, in patent claims, the indefinite article “an” means “one or more.” *KCJ Corp.*, 223 F.3d at 1356. Therefore, regardless of whether Novak teaches or suggests more than one action to achieve both opening the file for editing and playing a song (Ans. 17), we find that Appellant’s arguments are not commensurate with the scope of the claim, as construed.

For the foregoing reasons, Appellant has not persuaded us of error in the obviousness rejection of: (1) independent claim 10 and (2) dependent claims 12 and 13, which are not separately argued with particularity. Therefore, we sustain these rejections.

CONCLUSION

The Examiner did not err in rejecting claims 1-4, 6-10, 12-22, 27, 29, and 30 under § 103.

DECISION

The Examiner's decision rejecting claims 1-4, 6-10, 12-22, 27, 29, and 30 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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