



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,077	12/10/2003	Kyle G. Brown	RSW920030251US1 (137)	6384
46320	7590	01/31/2013	EXAMINER	
CAREY, RODRIGUEZ, GREENBERG & O'KEEFE, LLP			LI, GUANG W	
STEVEN M. GREENBERG			ART UNIT	
7900 Glades Road			PAPER NUMBER	
SUITE 520			2478	
BOCA RATON, FL 33434			MAIL DATE	
			DELIVERY MODE	
			01/31/2013	
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte KYLE G. BROWN, KEYUR D. DELAL, and
MARK D. WEITZEL,

Appeal 2010-009123
Application 10/732,077
Technology Center 2400

Before ALLEN R. MacDONALD, DEBRA K. STEPHENS, and
GEORGIANNA W. BRADEN, *Administrative Patent Judges*.

STEPHENS, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants appeal under 35 U.S.C. § 134(a) (2002) from a final rejection of claims 6, 8-10, 13, and 15-17. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

Introduction

According to Appellants, the invention relates to a system and method for routing messages in a computing enterprise and more particularly to parsing message content to identify subscribers to the message (Abstract; Spec. 1, ¶Statement of the Technical Field).

STATEMENT OF THE CASE

Exemplary Claim

Claim 6 is an exemplary claim and is reproduced below:

6. A message routing method comprising the steps of:

receiving a message;

parsing said message to identify message data encapsulated in said message;

querying a database with said message data to identify a set of subscribers to said message; and,

routing said message to each of said subscribers, wherein said querying step comprises the steps of:

generating a single database request to identify said set of subscribers to said message, assembling an artifact query based upon artifact attributes disposed in said message; and,

combining said assembled artifact query with a pre-stored skeleton query associated with an

artifact for said message, said combination
producing said single database request.

References

Corn	US 6,356,892 B1	Mar. 12, 2002
Holdsworth	US 2003/0135556 A1	Jul. 17, 2003
Klein	US 2003/0212818 A1	Nov. 13, 2003

Rejections

(1) Claims 6, 8, 10, 13, 15, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Holdsworth and Corn.

(2) Claims 9 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Holdsworth and Klein.

We have only considered those arguments that Appellants actually raised in the Briefs. Arguments Appellants could have made but chose not to make in the Briefs have not been considered and are deemed to be waived. *See* 37 C.F.R. § 41.37(c)(1)(vii)(2011).

ISSUE 1

35 U.S.C. § 103(a): claims 6, 8, 10, 13, 15, and 17

Claims 6, 13, 15, and 17

Appellants assert their invention is not obvious over Holdsworth and Corn (App. Br. 6-15). Specifically, Appellants contend Holdsworth does not teach “generating a single database request to identify said set of

subscribers to said message” (App. Br. 9-10). Additionally, Appellants argue the Examiner has not set forth how combining the teachings of Corn with those of Holdsworth would have been obvious to an ordinary artisan (App. Br. 10).

Appellants further argue Corn does not teach an artifact query based upon artifact attributes disposed in a message (App. Br. 11). Moreover, Appellants assert Corn does not teach combining the assembled artifact query with a pre-stored skeleton query (App. Br. 12). Instead, according to Appellants, although Corn has a “general reference to a skeleton query,” Corn does not teach combining the assembled artifact query with the skeleton query (*id.*). Appellants maintain “the only iteration in which the pre-stored skeleton query will be used is the first iteration” (App. Br. 13). However, the pre-stored skeleton query alone does not meet the recited “pre-stored skeleton query *associated with an artifact for said message*” (*id.*).

Issue 1: Has the Examiner erred in finding the combination of Holdsworth and Corn teaches or suggests:

- a) generating a single database request to identify said set of subscribers to said message,
- b) assembling an artifact query based upon artifact attributes disposed in said message; and
- c) combining said assembled artifact query with a pre-stored skeleton query associated with an artifact for said message, said combination producing said single database request

as recited in claim 6?

ANALYSIS

We agree with the Examiner's findings and conclusions and adopt them as our own. We emphasize the following.

Appellants argue the Examiner has not shown Corn teaches "a single database request" (Reply 3). However, as specifically stated by the Examiner "...the current rejection relies solely upon the teaching of Holdsworth to teach the [l]imitations at issue...", i.e., to teach or suggest "generating a single database request..." (*see* Ans. 9). Therefore, we are not persuaded by Appellants' arguments that Corn does not teach or suggest the disputed "generating a single database request to identify said set of subscribers to said message" as recited in claim 6.

Appellants further do not persuade us the Examiner erred in finding Corn teaches or suggests "assembling an artifact query based upon artifact attributes disposed in said message" (Reply 5-6). Specifically, we agree with the Examiner that Corn teaches or at least suggests assembling an artifact query (SQL subquery) based upon artifact attributes disposed of in the message (LDAP filter query) (*see* Ans. 10).

Further, we agree with the Examiner that Corn teaches or at least suggests combining the assembled artifact query with a pre-stored skeleton query associated with an artifact for the message (Ans. 10-11). Indeed, Corn teaches a recursive algorithm (SQL generation algorithm) that begins by "concatenating [] to the generated SQL query (which, in the first iteration, is otherwise a skeleton query)" (col. 7, 1. 59-col. 8, 1. 1). We note although Appellants do not explicitly define "artifact" in their Specification,

Appellants do state “[a]n artifact can represent a type of message which can be processed in the message routing system and can be uniquely described by its attributes” (App. Br. 11). Thus, in light of this disclosure and the recited “associated with,” we find Corn teaches or at least suggests the skeleton query is associated with an artifact for the message.

As to Appellants additional arguments arguing a non-compliant Examiner’s Answer (Reply 2-7), we are not persuaded. Instead, we are not persuaded the Examiner erred in finding the combination of Holdsworth and Corn teaches or suggests the invention as recited in claim 6 and claims 13, 15, and 17, not separately argued.

Claim 8

Appellants argue the Examiner mischaracterized the claim limitations of claim 8 which recites “the filter fragments are associated with individual ones of the subscribers” (App. Br. 14, emphasis in original). According to Appellants, there is a one-to-one association between a particular filter and an individual one of the message subscribers (*id.*).

Issue: Has the Examiner erred in finding “filter fragments. . . associated with individual ones of said subscribers” as recited in claim 8?

ANALYSIS

We agree with the Examiner’s findings and conclusions (Ans. 11-12). We further emphasize a “one-to-one” association is not recited in claim 8 and thus, Appellants are arguing limitations not recited in the claim. For the reasons set forth by the Examiner, we find Holdsworth teaches or at least

suggests subscriptions containing a filtering expression on elements of the message body (¶[0058]). We also agree Holdsworth teaches or at least suggests each subscriber has its own subscriptions, filter subscriptions stored in the repository are associated with each subscriber, and individual entries in the table are associated with individual subscribers (¶¶[0058]-[0059]). Therefore, we find the combination of Holdsworth and Corn teaches or at least suggests “filter fragments. . . associated with individual ones of said subscribers.” Accordingly, we are not persuaded the Examiner erred in rejecting claim 8 under 35 U.S.C. § 103(a) for obviousness over Holdsworth and Corn.

Claim 10

Appellants argue the Examiner mischaracterized the claim limitations of claim 8 which recites “the filter fragments are associated with individual ones of the subscribers” (App. Br. 14). According to Appellants, there is a one-to-one association between a particular filter and an individual one of the message subscribers (*id.*).

Issue: Has the Examiner erred in finding “filter fragments. . . associated with individual ones of said subscribers” as recited in claim 8?

ANALYSIS

We agree with the Examiner’s findings that Holdsworth teaches or at least suggests “routing said messages to individual ones of said subscribers using corresponding preferred communications channels identified in said database through said database query” (Ans. 12). Specifically, Appellants

argue the “paths” identified in Holdsworth are not communication channels but instead paths in which processing takes place (App. Br. 15). We are not persuaded. Holdsworth teaches the message broker delivers the message to each subscriber with the determined quality of service (§[0068]).

Holdsworth continues that “[w]here the broker has multiple active connections to the subscriber. . . the most appropriate connection 70 for the required quality of service is selected to deliver the message, based on the policy for the topic” (*id.*). Therefore, Holdsworth teaches or at least suggests the broker selecting the most appropriate connection to deliver the message – the most appropriate communication channel.

Thus, we find Holdsworth teaches or at least suggests “routing said messages to individual ones of said subscribers using corresponding preferred communications channels identified in said database through said database query” as recited in claim 10.

Summary

Appellants have not persuaded us the Examiner erred in finding the combination of Holdsworth and Corn teaches or suggests the invention as recited in claims 6, 8, 10, 13, 15, and 17. Accordingly, we are not persuaded the Examiner erred in rejecting claims 6, 8, 10, 13, 15, and 17 under 35 U.S.C. § 103(a) for obviousness over Holdsworth and Corn.

ISSUE 2

35 U.S.C. § 103(a): claims 9 and 16

Appellants assert their invention is not obvious over Holdsworth and Klein because Klein is “completely silent” as to correlating the source of the message with at least one filter (App. Br. 16). Specifically, Appellants contend neither Holdsworth nor Klein teaches the steps of “identifying a source of said message” and “correlating said source with at least one filter” (*id.*).

Issue 2: Has the Examiner erred in concluding the combination of Holdsworth and Klein teaches or suggests “identifying a source of said message” and “correlating said source with at least one filter” as recited in claim 9 and claim 16?

ANALYSIS

We agree with the Examiner’s findings and conclusions and adopt them as our own. (Ans. 13). Indeed, we agree with the Examiner that Klein teaches the message includes a header 402 that includes the source address – thus teaching or at least suggesting “identifying a source of said message” (*id.*). We also agree with the Examiner that Klein teaches messages having properties that match one or more subscription filters are sent to subscribing services identified by the action in the respective filter (¶[0059]). Since properties of messages include source addresses, we find Klein teaches or at least suggests “correlating said source with at least one filter.” (*id.*).

Accordingly, we are not persuaded the Examiner erred in finding the combination of Holdsworth and Klein teaches or suggests the invention as recited in claims 9 and 16. Therefore, the Examiner did not err in rejecting claims 9 and 16 under 35 U.S.C. § 103(a) for obviousness over Holdsworth and Klein.

DECISION

The Examiner's rejection of claims 6, 8, 10, 13, 15, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Holdsworth and Corn is affirmed.

The Examiner's rejection of claims 9 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Holdsworth and Klein 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) (2011).

AFFIRMED

tj