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uspatents@senniger.com
iom.uspros@invensys.com
edward.jarmolowicz@invensys.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RASHESH C. MODY, KENNETH KASAJIAN, DAVE TRAN,
and JEROME RICHARD ANDERSON, JR.

Appeal 2010-012438
Application 11/549,824
Technology Center 2100

Before JOHN A. JEFFERY, JEFFREY S. SMITH, and JEREMY J.
CURCURI, *Administrative Patent Judges*.

SMITH, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-20, which are all the claims pending in the application. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Representative Claim

1. A system for managing human machine interface (HMI) applications for industrial control and automation such that first and second HMI technologies coexist in an integrated application development and execution environment, the system comprising:

an import tool for incorporating first technology-based HMI applications, defined according to the first HMI technology, into a form facilitating management of the first technology-based HMI applications in the second HMI technology;

a graphics rendering facility based upon the first HMI technology and including additional components facilitating presentation of graphics defined according to the second HMI technology; and

a namespace management facility supporting distinct naming conventions utilized by the first HMI technology and the second HMI technology.

Prior Art

Chapman	US 2004/0021679 A1	Feb. 5, 2004
Leichtling	US 2006/0082583 A1	Apr. 20, 2006

Eduardo Ballina & Fernando Gonzalez, INTOUCH – INDUSTRIAL APPLICATION SERVER MIGRATION AND COEXISTENCE PLANNING GUIDE Invensys Systems, Inc. (2004)

Examiner's Rejections

Claims 1-5 and 7-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chapman and Ballina.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chapman, Ballina, and Leichtling.

ANALYSIS

Section 103 rejection of claims 1, 2, 9, 11, and 16

Claim 1 recites “a graphics rendering facility based upon the first HMI technology and including additional components facilitating presentation of graphics defined according to the second HMI technology.” Appellants contend that Chapman does not teach a graphics rendering facility based upon a first HMI technology, because the displays of Chapman are rendered according to a single MSHTML based rendering component. App. Br. 11. Appellants contend that the operator framework of Chapman is based on the second HMI technology, but is not based on the first HMI technology. Reply Br. 5-6. The Examiner finds that the operator framework of Chapman provides one HMI technology, an HTML display page that renders display page elements based upon data source components from other HMI technologies such as TPS, PHD, TPA, and PlantScape. Ans. 9.

We agree with the Examiner. Appellants have not provided a definition of “a graphics rendering facility based upon the first HMI technology and including additional components facilitating presentation of graphics defined according to the second HMI technology” that excludes the operator framework “based upon” data source components received from an

“HMI technology” such as TPS, PHD, TPA, or PlantScape and including additional components facilitating presentation of graphics display page elements defined according to an HTML “HMI technology” as shown in Figure 1 of Chapman.

Appellants contend that Ballina does not teach a “namespace management facility” as recited in claim 1, and the Examiner has not provided a reason for modifying Chapman’s system to include the namespace management facility of Ballina. App. Br. 12; Reply Br. 8. The Examiner finds that Ballina teaches a namespace management facility that converts a first HMI technology name such as a name using tags, into a second HMI naming convention such as object and object attributes. Ans. 10. The Examiner finds that the reason to include the namespace management facility of Ballina in the system of Chapman is for supporting distinct naming conventions utilized by the first and second HMI technologies of the system of Chapman. Ans. 10-11. We agree with the Examiner.

We adopt the Examiner’s findings as our own. We agree with the Examiner for the reasons given by the Examiner in the Final Rejection and Examiner’s Answer. We concur with the conclusions reached by the Examiner. We sustain the rejection of claim 1 under 35 U.S.C. §103. Appellants have not provided arguments for separate patentability of claims 2, 9, 11, and 16 which fall with claim 1.

Section 103 rejection of claims 3, 4, 12, 13, 17, and 18

Appellants contend that Chapman does not teach, “encapsulating HMI graphics defined in the first HMI technology inside HMI object templates

supported by the second HMI technology” as recited in claim 3. App. Br. 13; Reply Br. 8. The Examiner finds that encapsulating HMI graphics defined in one HMI technology, such as Honeywell or third party controls as shown in Figure 2 of Chapman, inside HMI objects supported by the operator framework HTML HMI technology, teaches the claimed encapsulating step. Ans. 15-16.

We agree with the Examiner for the reasons given by the Examiner in the Final Rejection and the Examiner’s Answer. We sustain the rejection of claim 3 under 35 U.S.C. § 103. Appellants have not provided arguments for separate patentability of claims 3, 4, 12, 13, 17, and 18 which fall with claim 3.

Section 103 rejection of claims 5, 14, and 19

Appellants contend that Chapman does not teach, “wrapper object templates include attributes facilitating hosting corresponding wrapper object instances by a view engine” as recited in claim 5. Reply Br. 8-9. The Examiner finds that Chapman teaches display pages that are capable of being encapsulated and re-used as encapsulated displays, which teaches “wrapper object templates include attributes facilitating hosting corresponding wrapper object instances by a view engine” as recited in claim 5. Ans. 16.

We agree with the Examiner for the reasons given by the Examiner. We sustain the rejection of claim 5 under 35 U.S.C. § 103. Appellants have not provided arguments for separate patentability of claims 14 and 19 which fall with claim 5.

Section 103 rejection of claim 8

Appellants contend that Ballina does not teach, “a prefix identifying the reference as originating from the first HMI technology” as recited in claim 8. The Examiner finds that the tag of an object’s name used by one HMI technology is used as the prefix for the name used by another HMI technology. Ans. 16-17.

We agree with the Examiner for the reasons given by the Examiner. We sustain the rejection of claim 8 under 35 U.S.C. § 103.

Section 103 rejection of claims 10, 15, and 20

Appellants contend that the combination of Chapman and Ballina does not teach, “an export tool for converting graphics developed in the second HMI technology to graphics in the first HMI technology” as recited in claim 10. In particular, Appellants contend that paragraph 141 of Chapman teaches reusing graphics, but does not teach converting graphics. Reply Br. 9. We disagree. Paragraph 141 teaches that page elements of one HMI technology can be reused outside of that HMI technology. In addition to paragraph 141 of Chapman, we cumulatively find that paragraphs 142 and 168-173 also teach, “an export tool for converting graphics developed in the second HMI technology to graphics in the first HMI technology” as recited in claim 10.

We sustain the rejection of claim 10 under 35 U.S.C. § 103. Appellants have not presented arguments for separate patentability of claims 15 and 20, which fall with claim 10.

Section 103 rejection of claim 6

Since Appellants have not presented arguments for separate patentability of claim 6, we sustain the rejection of that claim for the reasons indicated previously.

DECISION

The rejection of claims 1-5 and 7-20 under 35 U.S.C. § 103(a) as being unpatentable over Chapman and Ballina is affirmed.

The rejection of claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Chapman, Ballina, and Leichtling 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). *See* 37 C.F.R. § 41.50(f).

AFFIRMED