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.
11/411,507	04/26/2006	James Carlton Bedingfield SR.	9400-192 (050163)	6627

39072 7590 02/28/2013
AT&T Legal Department - MB
Attn: Patent Docketing
Room 2A-207
One AT&T Way
Bedminster, NJ 07921

EXAMINER
ENGLAND, SARA M

ART UNIT	PAPER NUMBER
2172	

MAIL DATE	DELIVERY MODE
02/28/2013	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 JAMES CARLTON BEDINGFIELD SR.

Appeal 2011-000067
Application 11/411,507
Technology Center 2100

Before CARL W. WHITEHEAD, JR., ERIC S. FRAHM, and ANDREW J. DILLON, *Administrative Patent Judges*.

DILLON, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1-7 and 9-20. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

STATEMENT OF THE CASE

"According to some embodiments of the present invention, a captured information object is managed by using annotation markers." Spec., ¶ 5. [A]nnotating the information object … comprises processing the information object to obtain text information therefrom, electronically generating a

concordance comprising selected words from the text information, and saving the text information and the concordance in the electronically searchable file. Spec., ¶ 7.

The Examiner relies on the following reference as evidence of unpatentability:

Moran	US 5,717,869	Feb. 10, 1998

REJECTION

The Examiner rejected claims 1-7 and 9-20 under 35 U.S.C. § 102(b) as anticipated by Moran. Ans. 3-7.[1]

MORAN

Moran teaches a system for organizing business meeting data. Abstract; col. 5, ll. 15-21. Moran achieves this objective via three types of data – timestreams, events, and sessions. Col. 6, l. 34 – col. 9, l. 14. Essentially, a timestream constitutes a portion of media content, an event constitutes an occurrence within media content, and a session maps timestreams and their event/s to one another. *Id.* All three data types can be stored within a Timestream Database. *Id.* at col. 9, ll. 16-17; col. 16, ll. 1-27. The session data and event data can be searched within the Timestream Database. *Id.* at col. 16, ll. 31-44 ("database querying capability to allow selective retrieval of Sessions and Events").

[1] Throughout this opinion, we refer to the Appeal Brief filed June 1, 2010 ("App. Br."), the Examiner's Answer mailed July 9, 2010 ("Ans."), and the Reply Brief filed September 9, 2010.

ANALYSIS

Claims 3-7, 9-11, 13-18, and 20

Claims 1, 3-7, 9-11, 13-18, and 20 stand or fall together. App. Br., pp. 6-7. We select claim 1, reproduced below, as representative. 37 C.F.R. § 41.37(c)(iv).

> 1. A method of managing information, comprising:
>
> capturing an information object;
>
> annotating the information object to include at least one marker so as to modify the information object, the at least one marker being searchable; and
>
> saving the annotated information object including the at least one marker in an electronically searchable file.

The Examiner reads the claimed information object on Moran's Timestream Database, particularly when managing "temporal data" comprised of timestreams and events. Ans., p. 8 (citing Moran, col. 16, ll. 23-31); *see also id.* at p. 4 (citing Moran, col. 3, ll. 1-20). The Examiner reads the claimed "marker" on event data of the Timestream Database. *Id.* at p. 8 (citing Moran, col. 16, ll. 35-37).

Appellant's arguments fail to address the Examiner's reading of the claimed information object on Moran's Timestream Database and, particularly, on its temporal data. App. Br., pp. 4-7; Reply Br., p. 2. The arguments incorrectly state that the claimed information object is read strictly on Moran's timestream data. *Id.* This mistake is best exemplified by the Appeal Brief's asserted summary of the issues:

> In summary, Moran discloses "annotating" an audio/video file through user interaction with a presentation

> while the presentation is being recorded. While these annotations may modify the audio/video information, they are not searchable. *Moran also discloses generating session and event data from timestream data corresponding to a presentation. The session and event data, while searchable, do not modify the timestream data. They may be stored in the same or different databases, but the original timestream data remain intact. Thus, Moran does not disclose or suggest, at least, annotating an information object in such a way that it modifies the information object and includes at least one searchable marker as recited in the pending independent claims.*

App. Br., p. 6 (emphasis added). Appellant repeats this mistake within the Reply Brief, arguing:

> Moran does not describe modifying the bulk timestream data to include event and/or session data. Even if the bulk timestream data is stored in the same database, they still remain as separate entities within the database. *The bulk timestream data is not modified by the event and/or session data. By contrast, independent Claims 1, 11, and 18 state that the information object is modified with at least one marker.*

Reply Br., p. 2 (emphasis added).

The record clearly reflects, in several respects presented below, that the claimed information object is read on the Timestream Database and particularly its temporal data. First, in addressing the claimed step of capturing an information object, the rejection cites to temporal data comprising both timestreams and events. Ans., p. 3 (citing Moran, col. 3, ll. 1-8); *see also* Final Rej., p. 3. Second, in addressing the claimed step of annotating/modifying the information object, the Answer's "Response to Arguments" section explains that, under Moran's teachings, "the Temporal data information object as a whole, is being modified." Ans., p. 9. And

third, the "Response to Arguments" section block quotes a portion of Appellant's Specification that confirms a "captured file" of the invention can be any conglomeration of information bound within a cohesive unit and, moreover, also emphasizes the passage's provided example of a "database document" in bold characters. *Id.* at p. 8 (citing Spec., ¶ 33). As expressly understood by Appellant, the claimed information object encompasses such captured files. Spec., ¶ 39 ("The captured file may be referred to as a captured information object.").

In light of the above, Appellant should have understood the rejection as reading the claimed information object on Moran's Timestream Database. Instead, Appellant incorrectly addresses the rejection as though reading the claimed information object strictly on Moran's timestream data. As such, the arguments do not address the rejection; much less identify a reversible error.

Accordingly, we sustain the anticipation rejection of claim 1 and claims 3-7, 9-11, 13-18, and 20 falling therewith.

We find the Examiner's reading of the claimed invention on Moran's teachings to be reasonable. As reflected above, Appellant's Specification presents an expansive interpretation of "information object" that encompasses any conglomeration of information bound within a coherent unit. Spec., ¶ 33. Given this expansive scope, the Examiner reasonably interpreted Moran's system as: "capturing an information object," as claimed, by way of generating the Timestream Database; "annotating the information object to include at least one marker so as to modify the information object, the at least one marker being searchable," as claimed, by way of including the searchable event data within the Timestream Database;

and "saving the annotated information object including the at least one marker in an electronically searchable file," as claimed, by way of maintaining the Timestream Database as a searchable database.

Claims 2, 12, and 19

Remaining claims 2, 12, and 19 stand or fall together. App. Br., p. 7. We select claim 2, reproduced below, as representative. 37 C.F.R. § 41.37(c)(iv).

> 2. The method of Claim 1, wherein annotating the information object and saving the annotated information object comprises:
>
> processing the information object to obtain text information therefrom;
>
> electronically generating a concordance comprising selected words from the text information; and
>
> saving the text information and the concordance in the electronically searchable file.

The Examiner finds that the further subject matter is taught by Moran as follows:

> Moran states "The timestreams are analyzed to create a set of events for each timestream. An event is subsequently used as an index for replaying the session" as described by the abstract. Moran further states "Events are used to created indices which provide direct access to a point or span in time during the collaborative activity. Timestreams may inherently define events, or alternatively may be analyzed to identify events[.]

Ans., p. 10 (citing Moran, col. 3, ll. 15-18). Appellant responds:

> Claims 2, 12, and 19 … state that the concordance is generated from selected words taken from the information object – not

> from annotations made to the information object. By contrast, it appears that the Examiner's Answer is alleging that Moran teaches that a concordance can be made from textual annotations used for indexing underlying audio/video data as opposed to generating a concordance based on the underlying audio/video data.

Reply Br., p. 2.

Appellant again misunderstands the rejection. As shown by the above block quote of the Answer, the Examiner finds that the subject matter of claim 2 is anticipated by Moran's analyzing of timestreams to create events, which are in turn used to create indices. Ans., p. 10 (citing Moran, col. 3, ll. 15-18). This process is generally described by Moran's abstract, as discussed by the Examiner (*see* Examiner block quote, above). The "analyzing" part of this process is particularly described with respect to Moran's Analyzer, as follows:

> The analyzer accesses the data in timestreams of the given session, and creates events associated with the session. … For example the analyzer might be an audio word spotter which creates an event every time a given word (which would be part of the specs string) is spoken. Note that the Analyzer could be running after a session has been recorded[.]

Moran, col. 8, ll. 51-61. An exemplary use of the analyzer would be to store timestreams of audio content within the Timestream Database as temporal data (*id.* at col. 13, ll. 50-54; col. 14, ll. 19-22), process the temporal data with a word spotting analyzer so as to generate events for particular words (*id.* at col. 8, ll. 51-61; col. 14, ll. 26-31), and then use the events to generate indices for some of the spotted words (*id.* at col. 3, ll. 16-19; col. 5, ll. 15-21). The claimed text information and concordance read on the spotted word events and indices, respectively.

Accordingly, we sustain the anticipation rejection of claim 2 and claims 12 and 19 falling therewith.

ORDER

The Examiner's decision rejecting claims 1-7 and 9-20 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).

AFFIRMED

pgc