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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* MARK WILLIAM HUBBARD, ROSS McKEGNEY,  
TACK TONG, QI ZHANG, and YING ZOU

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Appeal 2011-004786  
Application 11/144,121  
Technology Center 3600

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Before MURRIEL E. CRAWFORD, HUBERT C. LORIN, and  
NINA L. MEDLOCK *Administrative Patent Judges*.

MEDLOCK, *Administrative Patent Judge*.

DECISION ON APPEAL

## STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-22. We have jurisdiction under 35 U.S.C. § 6(b).

## STATEMENT OF THE DECISION

We REVERSE.<sup>1</sup>

## BACKGROUND

Appellants' invention relates to the field of collaborative computing and more particularly to the personalization of a desktop user interface in a collaborative space (Spec., para. [0001]).

Claim 1, reproduced below, is representative of the subject matter on appeal:

1. A method for role-based personalization of a collaborative space comprising:
  - obtaining, using a computer hardware system, role-based information for an interacting user that has been defined by an underlying business process model in a workflow; and
  - generating, in the computer hardware system, the collaborative space utilizing the role-based information.

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<sup>1</sup> Our decision will make reference to the Appellants' Appeal Brief ("App. Br.," filed August 15, 2010) and Reply Brief ("Reply Br.," filed January 10, 2011) the Examiner's Answer ("Ans.," mailed November 9, 2010).

### THE REJECTIONS

The following rejections are before us for review:

Claims 1-2, 4, 6, 8-9, 14-15, 17, 19, and 21-22 stand rejected under 35 U.S.C. § 103 as being unpatentable over Ouchi (US 6,539,404 B1, iss. Mar. 25, 2003) in view of Fisk (US 5,790,847, iss. Aug. 4, 1998).

Claims 3, 5, 16, and 18 stand rejected under 35 U.S.C. § 103 as being unpatentable over Ouchi in view of Fisk and Harter (US 2002/0069083 A1, pub. Jun. 6, 2002).

Claims 7 and 20 stand rejected under 35 U.S.C. § 103 as being unpatentable over Ouchi in view of Fisk, Harter, and Casati (US 2004/0044636 A1, pub. Mar. 4, 2004).

Claim 10 stands rejected under 35 U.S.C. § 103 as being unpatentable over Cole (US 2003/0090514 A1, pub. May 15, 2003) in view of Fisk.

Claims 11 and 12 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cole in view of Fisk and Ouchi.

Claim 13 stands rejected under 35 U.S.C. § 103 as being unpatentable over Cole in view of Fisk, Ouchi, and Harter.

### ANALYSIS

#### *Independent claim 1 and dependent claims 2-9*

We are persuaded of error on the part of the Examiner by Appellants' argument that neither Ouchi nor Fisk discloses or suggests "generating, in the computer hardware system, the collaborative space utilizing the role-based information," as recited in claim 1 (App. Br. 11-18 and Reply Br. 6-7). The Examiner maintains that the rejection is proper, and relies on Fisk

as disclosing this feature. Directing our attention to Fisk at column 2, lines 1-10, the Examiner asserts that:

Fisk teaches “a network application for manipulating information gathered in a multi-user collaborative environment in order to conduct Activity Based Management sessions,” “manipulating information gathered in a multi user collaborative environment” (See Fisk Col. 2, lines 1 - 10).

Ans. 4.

But the Examiner does not explain, nor do we see how, manipulating, i.e., using, information gathered in an existing multi-user collaborative environment, i.e., a collaborative space that already has been generated, as described at col. 2, lines 1-10 of Fisk, somehow discloses or suggests “generating . . . the collaborative space utilizing . . . role-based information” that has been defined by an underlying business process model in a workflow, as recited in claim 1.

The cited portion of Fisk describes that information, including participants’ comments and ideas, is gathered in a multi-user environment, and stored in a computer storage to be accessed by special programs for formatting and printing in predefined formats. However, we find nothing in this portion of Fisk that discloses or suggests “generating . . . the collaborative space utilizing the role-based information,” as recited in claim 1.

Therefore, we will not sustain the Examiner’s rejection of claim 1 under 35 U.S.C. § 103(a). We also will not sustain the Examiner’s rejection of dependent claims 2-9

*Independent claim 14 and dependent claims 15-22*

Claim 14 includes language substantially similar to claim 1. Therefore, we will not sustain the Examiner's rejection of claim 14 under 35 U.S.C. § 103(a) for the same reasons as set forth above with respect to claim 1. We also will not sustain the Examiner's rejection of dependent claims 15-22.

*Independent claim 10 and dependent claims 11-13*

Claim 10 is directed to a computer hardware system for role-based personalization of a collaborative space and recites that the system includes, *inter alia*, "a workflow engine coupled to the collaborative space and configured to process the workflow." The Examiner relies on column 2, lines 5-10 of Fisk as disclosing this feature:

Cole . . . does not specifically disclose a workflow engine coupled to the collaborative space and configured to process the workflow.

However, Fisk teaches (Fisk Col. 5.[sic] lines 5-10, "the information gathered in the multi-user environment includes input such as comments and ideas").

Therefore, it would have been obvious . . . to have modified a method of Cole to have incorporated the information gathered in the multi-user environment [that] includes input such as comments and ideas, as taught by Fisk, since the claimed invention is merely a combination of old elements . . . .

Ans. 10-11.<sup>2</sup>

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<sup>2</sup> In the Answer, the Examiner references *column 5*, lines 5-10 of Fisk in describing this feature. However, it is clear from the quoted language and

But this portion of Fisk makes no express mention of a “workflow engine.” Nor is there a disclosure of any other structure configured to process workflow, e.g., assign tasks to individual users (App. Br. 20-21 and Reply Br. 9). The Examiner also does not explain how column 2, lines 5-10 of Fisk discloses “a workflow engine coupled to the collaborative space and configured to process the workflow” nor, for that matter, explain exactly what in the cited portion of Fisk constitutes a workflow engine.

The Examiner has failed to establish a prima facie case of obviousness. Therefore, we will not sustain the Examiner’s rejection of claim 10 under 35 U.S.C. § 103(a). We also will not sustain the Examiner’s rejection of dependent claims 11-13.

#### DECISION

The Examiner’s rejection of claims 1-22 under 35 U.S.C. § 103(a) is reversed.

REVERSED

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the Examiner’s stated rationale that *column 2*, lines 5-10 of Fisk was intended.