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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte MICHAEL ACKER, JUERGEN REMMEL, and
HANS-CHRISTIAN WEBER

Appeal 2012-008154
Application 11/237,995
Technology Center 2100

Before CARL W. WHITEHEAD JR., JEFFREY S. SMITH, and
DANIEL N. FISHMAN, *Administrative Patent Judges*.

WHITEHEAD JR., *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants are appealing the final rejection of claims 1–6, 9–19, and 21 under 35 U.S.C. § 134(a). Appeal Brief 6. We have jurisdiction under 35 U.S.C. § 6(b) (2012).

We reverse.

Introduction

The invention is directed to a multi-document editor system that has a repository for storing a plurality of documents having code fragments.

Abstract.

Representative Claim (disputed limitations emphasized)

1. A multi-document editor system comprising:
 - a repository storing a plurality of documents having code fragments, the code fragments comprising switchable code fragments that can be switched in and out during runtime by a switch framework;
 - a graphical user interface having a single editor window within a display region, the single editor window for concurrently displaying a rendering of the plurality of documents, at least some of the plurality of documents being sub-documents of a parent document, the single editor window also displaying comment lines surrounding respective documents of the plurality of documents, the comment lines being non-editable;
 - a program editor module that provides a unified editor control to the editor window for editing each of the plurality of documents in the single editor window, the unified editor control providing a control function for disabling the comment lines, *the program editor module executing a line refactoring process to set break-points in the parent document in relation to specific sub-documents*; and
 - an interface builder module that automatically generates an interface for a business application that is created using the program editor module, the business application using the plurality of documents and being generated such that the business application can be run without local customization and can run in both centralized and distributed client/server configurations.

Rejection on Appeal

Claims 1–6, 9–19, and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Thames (US Patent Application Publication Number 2004/0186817 A1; published September 23, 2004), Furuya (US Patent Number 5,630,040; issued May 13, 1997), Darnell (US Patent

Number 5,596,700; issued January 21, 1997), and Stauber (US Patent Number 6,574,635 B2; issued June 3, 2005). Answer 4–15.

ANALYSIS

Rather than reiterate the arguments of Appellants and the Examiner, we refer to the Appeal Brief (filed November 3, 2011) and the Answer (mailed February 3, 2012) for the respective details. We have considered in this decision only those arguments Appellants actually raised in the Briefs.

Appellants argue that Thames fails to disclose or render obvious “executing a line refactoring process to set break-points in the parent document in relation to specific sub-documents” as recited in claim 1. Appeal Brief 14. The Examiner acknowledges that Thames does not explicitly disclose the claim limitation but finds it would have been obvious to an artisan to implement Thames inline expansion module to perform breaking up the lines with refactoring or re-managing the line layout – e.g., setting up breakpoints in the parent document. Answer 8–9 (citing Thames paragraphs 496 and 670).

We do not agree with the Examiner’s findings. Appellants contend:

Appellant respectfully notes that the inline expansion of Thames has no relation whatsoever to line refactoring, much less a line refactoring process to set break-points in the parent document in relation to specific sub-documents as claimed. Instead, the inline expansion of Thames includes generating a popup window containing a full inline expansion of a selected macrocall of a line (Thames, ¶ [0670]). However, employing an inline expansion of a line in a popup window is not the same as setting a break-point in a document. The popup window of Thames does not lead to a break-point in a document much less a break-point relating to a sub-document.

Appeal Brief 15.

We find Appellants' arguments to be persuasive. Therefore, we reverse the Examiner's obviousness rejection of independent claims 1, 9, and 15 all commensurate in scope, as well as, dependent claims 2–6, 10–14, 16–19, and 21 for the reasons articulated above.¹

DECISION

The Examiner's 35 U.S.C. § 103(a) rejection of claims 1–6, 9–19, and 21 is reversed.

REVERSED

msc

¹ Should there be further prosecution of this application (including any review for allowance), the Examiner may wish to review claims 15–19 for compliance under 35 U.S.C. § 101 in light of the recently issued preliminary examination instructions on patent eligible subject matter. *See* "Preliminary Examination Instructions in view of the Supreme Court Decision in *Alice Corporation Pty. Ltd. v. CLS Bank International, et al.*," Memorandum to the Examining Corps, June 25, 2014.