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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROBERT HELAL

Appeal 2014-007227
Application 11/732,568¹
Technology Center 3600

Before, HUBERT C. LORIN, JOSEPH A. FISCHETTI, and JAMES A. WORTH, *Administrative Patent Judges*.

FISCHETTI, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellant seeks our review under 35 U.S.C. § 134 of the Examiner's final rejection of claims 14, 15, 17–19, 21–24, 28, 29, 33, 34 and 38–46.²

We have jurisdiction under 35 U.S.C. § 6(b).

Claim 14 reproduced below, is representative of the subject matter on appeal.

¹ Appellant identifies International Business Machines Corporation, as the real party in interest. (Appeal Br. 3).

² Claims 1–13, 16, 20, 25–27, 30–32, and 35–37 have been canceled. (Final Act. 2).

14. A method of creating an analytic framework for use in analysing business intelligence information stored in a database system, the method comprising:

receiving a definition of a new role for analysing the business intelligence (BI) information stored in the database system, wherein the definition of the new role specifies BI information requirements that are specific to the new role;

receiving selection of one or more analytic type templates for analysing the BI information, wherein each analytic type template specifies a layout of the BI information on a BI report to support a corresponding type of BI analysis;

configuring the selected one or more analytic type templates for the new role on the basis of the BI information requirements that are specific to the new role; and

generating, by operation of one or more computer processors, a new analytic framework based on the configured analytic type templates, wherein the new analytic framework defines at least one navigable analytic path between the configured analytic type templates, wherein the at least one navigable analytic path relates a summary-level view of the BI information to a detail-level view of the BI information.

THE REJECTION³

The Examiner relies upon the following as evidence of unpatentability:

Ruggieri et al. ("Ruggieri")	US 2005/0144114 A1	June 30, 2005
Barnard et al. ("Barnard")	US 6,684,191 B1	Jan. 27, 2004
Putnam Brookes	US 2004/02304714 A1	Nov. 18, 2004
Zyman et al. ("Zyman")	US 2003/0033192 A1	Feb. 13, 2003
Ainsbury et al. ("Ainsbury")	US 6,078,924	June 20, 2000

The following rejections are before us for review.

1. Claims 14–15, 17–19, and 21–24, 28–29, 33–34, and 38–41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Putnam Brookes, Ainsbury and further in view of Barnard. (Final Act. 5).

³ Should there be further prosecution of this application (including any review for allowance), the Examiner may wish to review the claims for compliance under 35 U.S.C. § 101 in light of the most recent Patent Office guidance on § 101 found in the May 4, 2016 Memorandum to the Examining Corps, titled "Formulating a Subject Matter Eligibility Rejection and Evaluating the Applicant's Response to a Subject Matter Eligibility Rejection," and the "July 2015 Update on Subject Matter Eligibility," 80 Fed. Reg. 45429 (July 30, 2015), which supplements the "2014 Interim Guidance on Patent Subject Matter Eligibility," 79 Fed. Reg. 74618 (Dec. 16, 2014), and the "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.

2. Claims 42–43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Putnam Brookes, Ainsbury, Barnard and further in view of Zyman. (Final Act. 36).
3. Claims 44–46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Putnam, Ainsbury, Barnard, Zyman and further in view of Ruggieri. (Final Act. 43).
4. Claim 40 is rejected under 35 U.S.C. 112(b) as being indefinite. (Final Act. 4)

ANALYSIS

Each of independent claims 14, 21 and 22 recites, in one form or another,

generating a new analytic framework based on the configured analytic type templates, wherein the new analytic framework defines at least one navigable analytic path between the configured analytic type templates, wherein the at least one navigable analytic path relates a summary-level view of the BI information to a detail-level view of the BI information.

(Claim 21, Appx. 44).

The Examiner found concerning this limitation that,

Putnam does not explicitly recite that the selectable options for analysis types are templates that specify layouts, that the new analyses results in a new framework generated from the templates or that the paths relate summary level and detail level views. However, Ainsbury is incorporated to teach the ability to select a type of analytic template, Col. 6:50-Col. 7:3 describes how analysis templates are selected and guide a user through data collection, interpretation and analysis

processes, Col. 9: 7-25 describe different reports and analysis templates. A new framework is based on configured types of analytic templates. Col. 5: 30-38 describes how the templates extend the notion of quick reports and provide a framework for analysis on a specific topic. The template includes a score card guideline for tracking and gathering information to complete the analysis and other template are utilized to provide the final report framework. Col. 8: 50-60 describe how the information provides a set of prebuilt interfaces for browsing reports and analysis, Col. 9:17-25 describes how the analysis templates are configured to report information and include graphs and tables essential to analysis and provide a framework for the final report.

(Answer 4).

Appellant argues that:

The cited portions of *Putnam* generally discuss links for navigating between screens, *see Putnam*, ¶ [0117], while the cited portions of *Ainsbury* generally discuss analysis templates that provide a framework for analysis for a specific topic, *see, e.g., Ainsbury*, col. 5, lines 31-38. At the same time, even assuming, *arguendo*, that the links in *Putnam* correspond to the recited linking and that the analysis templates in *Ainsbury* correspond to the recited analytic type templates, the references, even in combination, still do not teach or suggest that the screens are linked based on a predefined analytic framework describing relations between analytic types.[sic] - let alone any new analytic framework being formed based on the series of reports and the navigable analytic paths.

(Appeal Br. 17).

We agree with the Appellant. Our review of Ainsbury at the sections cited by the Examiner to meet this limitation fails to show a disclosure which would make the claim limitation obvious. Namely, Ainsbury at col. 6:50–7:3 only discloses a catalog wherein “the information platform can automatically add the new information source to the catalog.” Ainsbury at col. 9: 7–25 only discloses, “[a]nalysis templates extend the notion of Quick Reports and provide a framework for analysis on a specific topic.” Ainsbury, at col. 5: 30–38, only discloses a ‘Score Card’ guideline for tracking information (such as revenue numbers and sales figures) that must be gathered for complete analysis.” Ainsbury, at col. 8: 50–60, only discloses “the structured and unstructured information from internal and external sources (captured over time) is collected in a consistent object-oriented store”. Likewise, Ainsbury, col. 9:17–25, only discloses “[a]nalysis templates extend the notion of Quick Reports and provide a framework for analysis on a specific topic.” In summary, while Ainsbury at best, discloses using templates to “provide a framework for analysis on a specific topic,” this disclosure stops there without any mention of using the analysis templates themselves to define the claimed “at least one navigable analytic path between the configured analytic type templates” where “configuring the selected one or more analytic type templates for the new role [is done] on the basis of the BI information requirements that are specific to the new role... .”

Thus, we will not sustain the 35 U.S.C. § 103(a) rejection of independent claims 14, 21 and 22. Since claims 15, 17, 18, 19, 23, 24, 28, 29, 33, 34 and 38–46 depend from one of claims 14, 21 and 22, and since we

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cannot sustain the rejection of these independent claims on the merits, the rejection of the dependent claims likewise cannot be sustained.

We do not sustain the rejection of claim 40 as being indefinite under 35 U.S.C. 112(b) (Final Act. 4), because Appellant has shown (Appeal Br. 40) that the involved term has basis in claim 39.

CONCLUSIONS OF LAW

We conclude the Examiner did err in rejecting claims 14, 15, 17–19, 21–24, 28, 29, 33, 34 and 38–46 under 35 U.S.C. § 103.

We conclude the Examiner did err in rejecting claim 40 under 35 U.S.C. § 112(b).

DECISION

REVERSED.