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12/403.016	03/12/2009	HIRONORI HOSODA	J-09-0165	8868
71799	7590	11/02/2016	EXAMINER	
Mr. Ryoichi Harada 2100 Pennsylvania Ave., NW SUITE 560 Washington, DC 20037-3213			BLOOMQUIST, KEITH D	
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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* HIRONORI HOSODA

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Appeal 2014-008846  
Application 12/403,016  
Technology Center 2100

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Before: ELENI MANTIS MERCADER, SCOTT B. HOWARD, and  
JOHN D. HAMANN, *Administrative Patent Judges*.

MANTIS MERCADER, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF CASE

Appellant appeals under 35 U.S.C. § 134 from a rejection of claims 1–  
8 and 10. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

## THE INVENTION

The claimed invention is directed to an HTML mail making system capable of making outgoing HTML mails have the style in compliance with the company's Corporate Identity (i.e., CI) policy. Abstract.

Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. An HTML mail making system comprising:

a Web server including a CPU and that manages a Web page available on the Internet and used for a company activity, a style of the Web page being defined by CSS definition syntax, the style including a company's own brand image; and

an information processing machine including a CPU and that is used by an employee of the company in order to create an HTML mail, the information processing machine being configured to acquire the CSS definition syntax by accessing the Web server before creating the HTML mail, and to standardize a style of the HTML in accordance with the style of the Web page based on the CSS definition so that the company's own brand image is expressed in the HTML email.

## REFERENCES

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Sasakuma	US 2004/0111670 A1	June 10, 2004
Chu	US 2005/0273707 A1	Dec. 8, 2005
Williams	US 2008/0033851 A1	Feb. 7, 2008
Shunji	JP 2007-272814	Oct. 18, 2007
Yasuko	JP 2007-334481	Dec. 27, 2007

## REJECTIONS

The Examiner made the following rejections:

1. Claims 1–3, 5, 7, and 10 stand rejected under 35 U.S.C § 103(a) as being unpatentable over Yasuko, Williams, and Chu.
2. Claims 4 and 6 stand rejected under 35 U.S.C § 103(a) as being unpatentable over Yasuko, Williams, Chu, and Sasakuma.
3. Claim 8 stands rejected under 35 U.S.C § 103(a) as being unpatentable over Yasuko, Williams, Chu, and Shunji.

## ANALYSIS

We adopt the Examiner’s findings in the Answer and the Final Action and we add the following primarily for emphasis.

Appellant argues that Yasuko attempts to improve accessibility by an end user (i.e., registered person) when a web server transmits an e-mail newsletter such as an HTML mail to the user (*see* ¶ 11) (App. Br. 4). Appellant asserts Yasuko solves this problem by generating the e-mail newsletter (HTML mail) based on setting information on a content display screen registered by each user when making a web access (*see* ¶¶ 13, 16) (App. Br. 4). According to Appellant, the combination of Yasuko, Williams, and Chu teaches a web server including means for requesting a user to perform a setting operation to process setting information in order to acquire setting information (App. Br. 4). Appellant asserts that in contradistinction, the information processing machine according to Appellant’s claimed invention, does not necessarily require a previous setting by an employee when acquiring Cascading Style Sheets (i.e., CSS) definition syntax and the

CSS definition syntax is acquired automatically only by the information processing machine accessing the company's home page (Ans. 4).

We agree with the Examiner that additional processing is not precluded from the recited language of claim 1 (*see* Ans. 8). Nothing in the claim language excludes setting operations.

Appellant further argues that the claimed invention differs in the problems it solved as compared to Yasuko in view of Williams and Chu (App. Br. 4) and that the main effect of the claimed invention is that it greatly contributes to the company's CI (Corporate Identity) policy without additional new investment and greatly reduces work of making mails by employees (App. Br. 5).

According to Appellant, the claimed invention makes the style of each HTML mail created by each terminal comply with the style of the company's home page that reflects the company's brand image when the company transmits an outgoing HTML mail through a terminal used by an employee of the company (App. Br. 4). Appellant asserts that Yasuko in view of Williams and Chu aims to improve accessibility by an end user when a Web server transmits an e-mail newsletter such as an HTML mail to the user (App. Br. 4).

We do not agree with Appellant's argument. At the outset, our reviewing court guides it is irrelevant that the prior art and the present invention may have different purposes. *See Nat'l Steel Car, Ltd. v. Canadian Pac. Ry., Ltd.*, 357 F.3d 1319, 1339 (Fed. Cir. 2004). It is sufficient that references suggest doing what Appellant did, although the Appellant's particular purpose was different from that of the references. *In re Heck*, 699 F.2d 1331, 1333 (Fed. Cir. 1983) (citing *In re Gershon*, 372

F.2d 535, 538–39 (CCPA 1967)). “Obviousness is not to be determined on the basis of purpose alone.” *In re Graf*, 343 F.2d 774, 777 (CCPA 1965).

We also agree with the Examiner’s finding that the underlying technology described in Yasuko involves applying CSS syntax to HTML email messages to ensure they follow a similar format (Ans. 9; ¶¶ 3–4 and 27). The underlying problem is the same which is ensuring that a large number of HTML mail messages exhibit uniformity to reinforce a brand (Ans. 8–9).

Accordingly, we affirm the Examiner’s rejection of claim 1 and for the same reasons the rejections of claims 2–8 and 10 which were not separately argued.

#### DECISION

For the above reasons, the Examiner’s rejection of claims 1–8 and 10 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)(1)(iv).

AFFIRMED