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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte PAMELA A. M. BOGDAN

Appeal 2015-002082¹
Application 12/327,008
Technology Center 2100

Before JEAN R. HOMERE, BRUCE R. WINSOR, and
JOHN R. KENNY, *Administrative Patent Judges*.

HOMERE, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellant seeks our review under 35 U.S.C. § 134(a) of the Examiner's final rejection of claims 1–4, 6–12, and 14–20. Claims 5 and 13 have been canceled. Claims App'x. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ Appellant identifies the real party in interest as AT&T Intellectual Property I, LP. App. Br. 2.

Appellant's Invention

Appellant's invention is directed to a generic benefits calculator (110) for assessing the financial and operational costs of an information technology (IT) project based on descriptive parameters input by a user. Spec. ¶ 4, Fig. 1. In particular, upon receiving from the user non-financial input parameters via an end-user input module (112) and a core input module (114), a core analysis module (116) converts the parameters into financial information based on financial translation values. *Id.* at ¶¶ 17–19, 22.

Illustrative Claim

Independent claim 1 is illustrative, and reads as follows:

1. A method, comprising:
 - receiving user input corresponding to parameters of an information technology project;
 - retrieving information corresponding to the information technology project, wherein the parameters and the information are non-financial;
 - calculating, based on the parameters, updated information corresponding to the information technology project;
 - creating a summary of the updated information corresponding to the information technology project; and
 - converting the parameters and information into financial information based on financial translation values.

Prior Art Relied Upon

Muckley	US 6,550,053 B1	Apr. 15, 2003
Rosnow	US 2003/0106039 A1	June 5, 2003
Eckart	US 2005/0240467 A1	Oct. 27, 2005
Angermeier	US 2006/0136328 A1	June 22, 2006

Rejections on Appeal

Appellant requests review of the following Examiner's rejections:

Claims 1, 9, and 17 stand rejected under 35 U.S.C. § 112, first paragraph as being failing to comply with the written description requirement.

Claims 1–4, 6, 8–12, and 14–20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Angermeier, Rosnow, and Eckart.²

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Angermeier, Rosnow, Eckart, and Muckley.

ANALYSIS

We consider Appellant’s arguments *seriatim*, as they are presented in the Appeal Brief, pages 3–10, and the Reply Brief, pages 2–12.³

Written Description Rejection

Appellant argues the Examiner erred in concluding that the recitation of converting non-financial parameters and information into financial information based on translation values, as recited in independent claim 1, is

² Although the Examiner’s statement of the rejection only sets forth claims 1–4, 6, and 8, the body of the rejection discusses claims 9–12, and 14–20. Final Act. 3–9.

³ Rather than reiterate the arguments of Appellant and the Examiner, we refer to the Appeal Brief (filed June 24, 2014), the Reply Brief (filed December 1, 2014) and the Answer (mailed October 1, 2014) for their respective details. We have considered in this Decision only those arguments Appellant actually raised in the Briefs. Any other arguments Appellant could have made but chose not to make in the Briefs are deemed to be waived. *See* 37 C.F.R. § 41.37(c)(1)(iv) (2012).

not supported by the original Specification. App. Br. 3–4. According to Appellant, the disclosure in the Specification of inputting into a core module “factory process” benefits, high-level IT project cost estimations, and scheduling into an end-user input module supports inputting in the module both financial and non-financial parameters of an IT project. Reply Br. 4 (citing Spec. ¶ 23). Likewise, Appellant argues the disclosure of inputting into the core input module official forecast data, IT scheduling and monetary translations resulting statistical information into dollar values also supports the input of both financial and non-financial parameters in the module. *Id.* (citing ¶ 24). This argument is persuasive.

Although the Examiner correctly concludes that the disclosure of project cost estimations and statistical information are not directed to non-financial parameters, we agree with Appellant that the input modules also accept non-financial user inputs such as forecasting and scheduling information. Ans. 10–11. Because the input modules support the entry of both financial and non-financial parameters, we agree with Appellant that the originally-filed Specification supports the conversion of non-financial data into financial data. We, therefore, do not sustain the written description rejection of claims 1, 9, and 17.

Obviousness Rejections

Appellant argues that the combination of Angermeier, Rosnow, and Eckart does not teach or suggest converting non-financial parameters and information into financial information translation values. App. Br. 5–8. In particular, Appellant argues that Eckart’s disclosure of converting to a standard format business performance information including account labels

(account numbers, names, balance) does not teach the disputed limitations. Reply Br. 7. According to Appellant, although the business performance information includes non-financial information (account numbers, names), the conversion itself is performed on the balance field, which is financial data, and not non-financial data. *Id.* 7–8 (citing Eckart ¶¶ 43, 51, 52, 77). Accordingly, Appellant submits that Eckart does not cure the admitted deficiencies of Angermeier. This argument is not persuasive.

As acknowledged by Appellant, Eckart discloses converting to a standard format the business performance text file including non-financial data (account name, number fields) and financial data (balance field) by generating one or more performance reports for subsequent financial analysis. Eckart ¶ 43. In particular, Eckart discloses a conversion module that uses a conversion map to associate the values of business performance classifications with corresponding values of the standard business performance classifications. *Id.* at ¶¶ 77–78. This conversion and analysis process creates a dashboard with financial information. Ans. 11–12; Eckhart ¶ 52, Fig. 7. And with this conversion and analysis, non-financial information is used to create financial data (e.g., used to aggregate financial data.) Ans. 5; Eckhart Figs. 5 and 7. Furthermore, we agree with the Examiner that such conversion of input parameters complements Angermeier’s explicit disclosure of non-financial input parameters (e.g., duration, schedule for a project) to predictably result in an executive report that evaluates the non-financial input parameters describing a project as a way to generate a cost based analysis therefor. *Id.* at 3–5 (citing Angermeier ¶¶ 15, 23, 29).

KSR Int'l Co. v. Teleflex, Inc., 550 U.S. 398, 416 (2007). Therefore, we concur with the Examiner that the proposed combination of Angermeier, Rosnow, and Eckart teaches or suggests the disputed limitations.

For at least the aforementioned reasons, we find Appellant has not provided arguments or evidence persuasive of error in the Examiner's rejection of representative claim 1. It, therefore, follows that Appellant has not shown error in the Examiner's obviousness rejection of claim 1.

Regarding claims 2–11, 23–24, 6–12, and 14–20, because Appellant reiterates substantially the same arguments as those previously discussed for patentability of claim 1 above, claims 4, 6–12, and 14–20 fall therewith. *See* 37 C.F.R. § 41.37(c)(1)(iv).

DECISION

We affirm the Examiner's prior art rejections of claims 1–4, 6–12, and 14–20. However, we reverse the Examiner's written description rejection of claims 1, 9, and 17.⁴

Because we have affirmed at least one ground of rejection with respect to each claim on appeal, the Examiner's decision is affirmed. *See* 37 C.F.R. § 41.50(a)(1).

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).

⁴ 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, as potentially being directed to non-statutory subject matter, i.e., an abstract idea, in light of the two-step framework set out in the Supreme Court decision in *Alice Corp. Pty. Ltd. v. CLS Bank Int'l*, 134 S. Ct. 2347 (2014).

Appeal 2015-002082
Application 12/327,008

AFFIRMED