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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte GYUNG HYE YANG, BONG HYUN CHO, JU YUN SUNG, JEE YOUNG HER, EUN YOUNG LIM, and JI YOUNG KWAHK

Appeal 2015-003103
Application 12/554,328
Technology Center 2100

Before JEAN R. HOMERE, DEBRA K. STEPHENS, and NABEEL U. KHAN, *Administrative Patent Judges*.

STEPHENS, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134 from a Final Rejection of claims 1–4, 7, 9, 10, 12, 13, 15, 19–26, 29, and 31. We have jurisdiction under 35 U.S.C. § 6(b). Claims 5, 6, 8, 11, 14, 16–18, 27, 28, 30, and 32–35 have been cancelled.

We REVERSE.

STATEMENT OF THE INVENTION

According to Appellants, the claims are directed to a digital contents management method and apparatus for classifying and filtering contents stored on a digital device (Abstract; Spec. ¶ 3). Claim 1, reproduced below, is illustrative of the claimed subject matter:

> 1. A contents management method for a media management apparatus, the method comprising:
>
> displaying at least one first graphical user interface object representing an external device connected to the media management apparatus and second graphical user interface objects representing contents stored in the connected external device;
>
> receiving a selection of a first or second graphical user interface object of the displayed first and second graphical user interface objects;
>
> detecting an input drag of the selected graphical user interface object; and
>
> filtering, in response to detecting the input drag, the displayed first and second graphical user interface objects based on one or more attributes associated with the dragged graphical user interface object.

REFERENCES

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

Van der Meulen	US 2007/0282908 A1	Dec. 6, 2007
Kennedy	US 2008/0195863 A1	Aug. 14, 2008
Agarawala	US 2009/0307623 A1	Dec. 10, 2009
Ozawa	US 2010/0053408 A1	Mar. 4, 2010

REJECTIONS

Claims 1–3, 7, 9, 10, 12, 13, 15, 19–22, 24–26, 29, and 31 stand rejected under 35 U.S.C. §102(e) as being anticipated by Agarawala (Final Act. 2–12).

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Agarawala and Ozawa (Final Act. 12–13).

Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Agarawala and Van der Meulen (Final Act. 13–14).

Claim 23 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Agarawala and Kennedy (Final Act. 14–15).

ISSUES

35 U.S.C. § 102(e): Claims 1–3, 7, 9, 10, 12, 13, 15, 19–22, 24–26, 29, and 31

Appellants contend their invention as recited in claims 1–3, 7, 9, 10, 12, 13, 15, 19–22, 24–26, 29, and 31, is not anticipated by Agarawala (App. Br. 6–11). The issue presented by the arguments is:

Issue 1: Has the Examiner erred in finding Agarawala discloses "detecting an input drag of the selected graphical user interface object" and "filtering, in response to detecting the input drag, the displayed first and second graphical user interface objects based on one or more attributes

associated with the dragged graphical user interface object," as recited in claim 1?

ANALYSIS

Appellants argue Agarawala's "sorting" and "grouping" actions are performed in response to user interaction with a LassoMenu and not in response to detecting input drag as recited (App. Br. 7). More specifically, Appellants contend Agarawala teaches users select a display object by "lassoing" the object (drawing a path that encircles the object) and once lassoed, users are presented with a control menu from which the users may select a menu item and adjust the associated parameter (*id.* at 8 (citing Agarawala ¶¶ 88, 111–113)).

We agree with the Examiner that Agarawala discloses dragging selected graphical user interface object that have attributes (Ans. 3; Agarawala ¶ 24). We also agree Agarawala discloses a graphical user interface to display objects representing an external device connected to the virtual environment and further, Agarawala discloses graphical user interface objects representing contents stored in the connected external device (Ans. 3–4; Agarawala ¶¶ 23, 121, 122). Agarawala additionally describes detecting an input drag of a selected graphical user interface object (Ans. 4; Agarawala ¶¶ 24, 87).

However, we agree with Appellants that Agarawala does not disclose filtering in response to the dragging (Reply Br. 4–5; App. Br. 8). More specifically, the Examiner finds "dragging objects invokes LassoMenu which allows filtering or segregating of objects by their attribute or characteristics" (Ans. 5). Although we agree sorting or segregating of objects based on an object attribute is a filtering process (Ans. 5), the

Examiner has not shown, nor do we readily find, this sorting or segregating is performed "in response to detecting the input drag." Instead, Agarawala discloses "one can further manipulate the pile contents with the LassoMenu" once a pile is locked down (Agarawala ¶ 111). Thus, although Agarawala allows for filtering, the Examiner has not shown Agarawala discloses "filtering, in response to detecting the input drag," as recited in claim 1.

Because the Examiner made an anticipation rejection and not an obvious rejection, it is beyond the scope of our review as to whether it would have been obvious to modify the features of Agarawala to arrive at the recited claim.

Accordingly, we are persuaded the Examiner has not shown Agarawala discloses "filtering, in response to detecting the input drag, the displayed first and second graphical user interface objects based on one or more attributes associated with the dragged graphical user interface object," as recited in independent claim 1 and commensurately recited in independent claim 24. Dependent claims 2, 3, 7, 9, 10, 12, 13, 15, 19–22, 25, 26, 29, and 31, stand with their respective independent claims. Therefore, we are constrained to reverse the rejection of claims 1–3, 7, 9, 10, 12, 13, 15, 19–22, 24–26, 29, and 31 under 35 U.S.C. § 102(e) for anticipation by Agarawala.

35 U.S.C. § 103(a): Claims 4, 15, and 23

Claims 4, 15, and 23 depend from independent claim 1. The Examiner has not shown Ozawa, Van der Meulen, and Kennedy, respectively, cure the deficiencies of Agarawala. Accordingly, these claims

stand with independent claim 1. It follows, we cannot sustain the rejections of claims 4, 15, and 23.

DECISION

The Examiner's rejection of claims 1–3, 7, 9, 10, 12, 13, 15, 19–22, 24–26, 29, and 31 under 35 U.S.C. § 102(e) as being anticipated by Agarawala is reversed.

The Examiner's rejection of claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Agarawala and Ozawa is reversed.

The Examiner's rejection of claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Agarawala and Van der Meulen is reversed.

The Examiner's rejection of claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Agarawala and Kennedy is reversed.

REVERSED