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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte MATT A. WORMLEY, GARY B. COHEN, and
SERGIU-ANDREI DRAGOMIR

Appeal 2015-003171¹
Application 12/714,234
Technology Center 2100

Before JEAN R. HOMERE, KEVIN C. TROCK, and
JOSEPH P. LENTIVECH, *Administrative Patent Judges*.

HOMERE, *Administrative Patent Judge*.

DECISION ON APPEAL
STATEMENT OF THE CASE

Appellants seek our review under 35 U.S.C. § 134(a) of the Examiner's Final Rejection of claims 1–24, which constitute all of the claims pending in this appeal. App. Br. 5. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ Appellants identify the real party in interest as Adobe Systems Inc. App. Br. 3.

Appellants' Invention

Appellants' invention is directed to a method and system for managing group access to a plurality of objects in a distributed computing environment. Spec. 1:6–7. In particular, upon receiving an access request from a user, an access control list (ACL) associated with the requested object is searched to determine whether the user is authorized to access the object. If the user's name is not found on the ACL, a query is sent to a group membership list to determine whether the user's name appears thereon. *Id.* 24:15–18, Fig. 2.

Illustrative Claim

Independent claim 1 is illustrative, and reads as follows:

1. A method, comprising:
 - electronically storing a group membership list for one or more accounts;
 - electronically storing a plurality of objects at different locations in a distributed computing system;
 - electronically storing a separate access control list for each of the plurality of objects, wherein searchable data defining each respective access control list for each respective object is embedded in or attached to the respective object, such that each respective access control list is located with its respective object at the different locations in the distributed computing system;
 - electronically determining an intersection between said group membership list and the respective access control list for one of the plurality of objects to be accessed, the intersection determined at least in part by performing a search; and
 - responsive to a determination that the intersection does not contain a match, sending a query.

Prior Art Relied Upon

The Examiner relies on the following prior art as evidence of unpatentability:

Shoroff	US 6,381,602 B1	Apr. 30, 2002
Waxman	US 2004/0167926 A1	Aug. 26, 2004
Gafter	US 2007/0005595 A1	Jan. 4, 2007
Montgomery	US 2007/0214497 A1	Sept. 13, 2007
Chitor	US 2009/0300760 A1	Dec. 3, 2009

Rejections on Appeal²

Claims 1–8 and 12–24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Gafter, Chitor, Shoroff, and Waxman.

Claims 9–11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Gafter, Chitor, Shoroff, Waxman, and Montgomery.

ANALYSIS

We consider Appellants' arguments *seriatim*, as they are presented in the Appeal Brief, pages 12–24.³ We have reviewed the Examiner's

² The Examiner withdrew the written description rejection previously entered against claims 1–24 under 35 U.S.C. § 112, 1st paragraph. Ans. 20.

³ Rather than reiterate the arguments of Appellants and the Examiner, we refer to the Appeal Brief (filed July 21, 2014), and the Answer (mailed October 23, 2014) for their respective details. We have considered in this Decision only those arguments Appellants actually raised in the Brief. Any other arguments Appellants could have made but chose not to make in the Brief are deemed to be waived. *See* 37 C.F.R. § 41.37(c)(1)(iv) (2014).

rejections in light of Appellants' arguments. We are unpersuaded by Appellants' contentions. Except as indicated otherwise, we adopt as our own the findings and reasons set forth in the rejections from which appeal is taken and in the Examiner's Answer in response to Appellants' Appeal Brief. *See* Ans. 2–30, Final Act. 2–23. However, we highlight and address specific arguments and findings for emphasis as follows.

First, Appellants argue the proposed combination of Gafter, Chitor, Shoroff, and Waxman does not teach or suggest in response to determining an intersection between a group membership list and an access control list does not contain a match, sending a query, as recited in claim 1. App. Br. 12–15. In particular, Appellants argue although Waxman discloses searching other membership groups when the search of a first membership group does not produce a match, it does not teach sending a query responsive to such failure to find a match. *Id.* 13 (citing Waxman ¶¶ 111, 161, 162, 173). This argument is not persuasive.

At the outset, we note consistent with the Specification, the disputed recitation merely requires, upon a search of the ACL resulting in no match with the user name, sending a query to search the same on the group membership list. Spec. 24:15–18. Further, we find unrebutted the Examiner's interpretation of a query as a mere request for information. Ans. 21. Consequently, we agree with the Examiner that Waxman's disclosure of sending a request to another group to search for the user's name in response to failing to match the user with an earlier group teaches sending the query

responsive to determining that the earlier search produced no match. *Id.* 21–22 (citing Waxman ¶¶ 127, 172–73).

Second, Appellants argue that the proposed motivation (to save time by searching lower cost first) for combining the references lacks in particularity to sending the query, and is premised on impermissible hindsight. App. Br. 14. This argument is not persuasive. As noted above, Waxman discloses sending the query to search another group membership list for the user’s name if an earlier search of a group membership list failed to produce a match. Further, Gafter discloses searching a membership list and an ACL to determine whether to grant a user’s access request to a document. Gafter ¶ 25. Therefore, Waxman and Gafter disclose known elements that perform their ordinary functions to predictably result in a system wherein a request is sent to search a group membership list for a user’s name in response to failing to locate the user’s name in an access control list. Accordingly, the proposed combination of the cited references is supported by sufficient rational underpinning.

Third, Appellants argue that modifying the cited references by sending a query responsive to a null intersection would change the principle of operation thereof, and would thereby render the cited references unsatisfactory for their intended purposes. App. Br. 14–15. This argument is not persuasive because it is tantamount to an individual attack against the cited references. Ans. 3–4. One cannot show non-obviousness by attacking the references individually where the rejections are based on combinations

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of references. *In re Merck & Co.*, 800 F.2d 1091, 1097 (Fed. Cir. 1986).
See also In re Keller, 642 F.2d 413, 425 (CCPA 1981).

We agree with the Examiner that Chitor's disclosure of implementing an ACL in a distributed environment, taken in combination with Shoroff's disclosure of enforcing access control on objects would complement the Gafter-Waxman system to predictably result in a distributed environment that provides authorized users with secure access to objects. Ans. 24–29. Therefore, we agree with the Examiner the proposed combination is proper. *Id.* at 3–5. Accordingly, we are not persuaded that the Examiner erred in rejecting claim 1 over the combination of Gafter, Chitor, Shoroff, and Waxman.

Regarding the rejection of claims 2–24, because Appellants have either not presented separate patentability arguments or have reiterated substantially the same arguments as those previously discussed for patentability of claim 1 above, claims 2–24 fall therewith. *See* 37 C.F.R. § 41.37(c)(1)(iv) (2013).

DECISION

We affirm the Examiner's rejections under 35 U.S.C. § 103(a) of claims 1–24.

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