UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/979,566	12/28/2010	Kristopher T. Frazier	20100434	3234

25537 7590 10/28/2016
VERIZON
PATENT MANAGEMENT GROUP
1320 North Court House Road
9th Floor
ARLINGTON, VA 22201-2909

EXAMINER
HUR, ECE

ART UNIT	PAPER NUMBER
2172	

NOTIFICATION DATE	DELIVERY MODE
10/28/2016	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte KRISTOPHER T. FRAZIER

Appeal 2015-006702
Application 12/979,566[1]
Technology Center 2100

Before BRUCE R. WINSOR, MICHAEL M. BARRY, and MICHAEL J. ENGLE, *Administrative Patent Judges*.

ENGLE, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from a final rejection of claims 1–7, 9–15, and 17–20, which are all of the claims pending in the application.[2] We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

Technology

The application relates to enabling a user to view the specific navigation path taken during prior web browser use. Spec. ¶ 1, Abstract.

---

[1] According to Appellant, the real party in interest is Verizon Communications Inc. App. Br. 1.

[2] Claims 8 and 16 were cancelled after the Final Rejection and their additional limitations moved into the amended independent claims (1, 9, and 17). *See* Response Under 37 C.F.R. § 1.116 at 7 (Sept. 11, 2014); Advisory Action (Sept. 19, 2014) (entering the amendments).

Representative Claim

Claim 1 is representative and reproduced below with the limitations at issue emphasized:

> 1. A method comprising:
>
> presenting a navigation path representing one or more sequences of resource identifiers that are related based on selection information provided by a user in navigating, via a browser application, the resource identifiers of the one or more sequences of the navigation path,
>
> wherein the navigation path is presented to permit direct selection of one of the resource identifiers of the one or more sequences for acquiring content associated with the selected resource identifier, and
>
> wherein *the navigation path is presented as route indicators directly linking nodes corresponding to specific resource identifiers that were selected by the user*, and
>
> wherein *at least one route indicator linking nodes that were selected by the user is displayed different in appearance to indicate that a subsequently linked node corresponds to a resource identifier that is unrelated to the resource identifier of the node from which it is immediately linked*.

Rejection

Claims 1–7, 9–15, and 17–20 stand rejected under 35 U.S.C. § 102(b) as anticipated by Sommerer et al. (US 7,225,407 B2; May 29, 2007). Final Act. 4; Advisory Action (Sept. 19, 2014) (maintaining rejection after amendment).

ISSUES

1. Did the Examiner err in finding Sommerer discloses "the navigation path is presented as route indicators directly linking nodes corresponding to specific resource identifiers that were selected by the user," as recited in claim 1?

2. Did the Examiner err in finding Sommerer discloses "at least one route indicator linking nodes that were selected by the user is displayed different in appearance to indicate that a subsequently linked node corresponds to a resource identifier that is unrelated to the resource identifier of the node from which it is immediately linked," as recited in claim 1?

ANALYSIS

Appellant concedes that Figure 2 of Sommerer "illustrates the navigation sequences" associated with web pages visited by a user and that "the arrows in the navigation window 200 from one thumbnail to the next would be route indicators directly linking the nodes." Reply Br. 4. For example, an arrow between a first and second thumbnail might indicate the user clicked a link in the first website (represented by a thumbnail on the left side of the arrow) that took the user to a second website (represented by a thumbnail on the right side of the arrow). Therefore, we are not persuaded of error in the Examiner finding Sommerer discloses "the navigation path is presented as route indicators directly linking nodes corresponding to specific resource identifiers that were selected by the user."

However, we agree with Appellant's argument that a thumbnail in Figure 2 of Sommerer is not a "route indicator" as claimed. App. Br. 6–7. Instead, as discussed above, the route indicator would be the arrow between thumbnails. Because the route indicator in Sommerer is the arrow, claim 1 would require that at least one *arrow* be "different in appearance." Here, the Examiner found the *thumbnails* in Sommerer varied in appearance, but has not sufficiently shown that any *arrow* in Sommerer is "different in appearance" based upon one resource identifier being "unrelated" to the next. Ans. 4; Final Act. 3; *see also* Spec. ¶ 48, FIG. 5F (showing example of

arrow 555 as dashed rather than solid). We therefore are persuaded by Appellant's argument with respect to "at least one route indicator linking nodes that were selected by the user is displayed different in appearance to indicate that a subsequently linked node corresponds to a resource identifier that is unrelated to the resource identifier of the node from which it is immediately linked," as recited in all of the independent claims (1, 9, and 17). App. Br. 7–8; Reply Br. 4–5.

Accordingly, given the limited record before us, we are constrained to reverse the Examiner's anticipation rejection of independent claims 1, 9, and 17. Dependent claims 2–7, 10–15, and 18–20 stand with their respective independent claims.

DECISION

For the reasons above, we reverse the Examiner's decision rejecting claims 1–7, 9–15, and 17–20.

REVERSED