



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.
11/775,643	07/10/2007	ENRIQUE RUIZ-VELASCO	20070154	5366
25537	7590	10/28/2016	EXAMINER	
VERIZON PATENT MANAGEMENT GROUP 1320 North Court House Road 9th Floor ARLINGTON, VA 22201-2909			LEWIS, JONATHAN V	
			ART UNIT	PAPER NUMBER
			2425	
			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* ENRIQUE RUIZ-VELASCO, LAXMI M. PATEL,  
JAPAN A. MEHTA, SENTHIL K. RAGHAVAN

---

Appeal 2015-007214  
Application 11/775,643  
Technology Center 2400

---

Before ROBERT E. NAPPI, JAMES R. HUGHES, and SCOTT E. BAIN,  
*Administrative Patent Judges.*

NAPPI, *Administrative Patent Judge.*

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the Final Rejection of claims 1, 2, 4 through 14, and 16 through 26.

We reverse.

## INVENTION

The invention is directed to a method for providing personalized recommendations for programs in an electronic program guide. *See* Abstract; Spec. ¶ 1. Claim 1 is representative of the invention and reproduced below:

1. A method, comprising:

receiving, at a first receiver of a computing device, one or more user commands;

transmitting, at a transmitter of the computing device, to at least one module, the one or more user commands to generate one or more personalized recommendations based on the one or more user commands, wherein generating the one or more personalized recommendations comprises taking into account the user's implicit preferences and matching one or more programs selected by a user with one or more similar programs selected by one or more other users within a community, wherein the community comprises users over multiple geographic localities who subscribe to a personalized recommendations feature, wherein the user's implicit preferences are quantified as an implicit rating for the user based on raw data and discovered data, and wherein the discovered data is determined based on raw data;

receiving, at a second receiver of the computing device, the one or more personalized recommendations; and

outputting, at a display device, the one or more personalized recommendations in an electronic program guide (EPG) in response to receiving one or more user inputs to display the one or more personalized recommendations to the user, the EPG listing programs chronologically and sequentially by channel, a first portion of the listed programs in the EPG comprising the one or more personalized recommendations along with the quantified implicit rating for the user for the one or more personalized recommendations and a second portion of

Appeal 2015-007214  
Application 11/775,643

the listed programs in the EPG comprising no personalized recommendations for the second portion of listed programs.

#### REJECTIONS AT ISSUE

The Examiner has rejected claims 1, 4, 8, 9, 11 through 13, 16, 20, 21, and 23 through 25 under 35 U.S.C. § 103(a) as unpatentable over Sugimoto (US 2007/0186241 A1; Aug. 9, 2007), Sezan (US 2006/0174277 A1; Aug. 3, 2006), Connelly (US 2002/0194585 A1; Dec. 19, 2002) and Mori (US 2004/0049788 A1; Mar. 11, 2004). Final Act. 2–12.<sup>1</sup>

The Examiner has rejected claim 2, 6, 7, 14, 18 and 19 under 35 U.S.C. § 103(a) as unpatentable over Sugimoto, Sezan, Connelly, Mori, and Thurston (US 2003/0084450 A1; May 1, 2003). Final Act. 13–14.

The Examiner has rejected claims 5 and 17 under 35 U.S.C. § 103(a) as unpatentable over Sugimoto, Sezan, Connelly, Mori, and Ali (US 2002/0199194 A1; Dec. 26, 2002). Final Act. 15.

The Examiner has rejected claims 10 and 22 under 35 U.S.C. § 103(a) as unpatentable over Sugimoto, Sezan, Connelly, Mori, and Dimitrova (US 2003/0121058 A1; Jun. 26, 2003). Final Act. 15–16.

The Examiner has rejected claim 26 under 35 U.S.C. § 103(a) as unpatentable over Sugimoto, Sezan, Connelly, Mori, and Schaffer (US 6,704,931 B1; Mar. 9, 2004). Final Act. 16–17.

---

<sup>1</sup> Throughout this Decision we refer to the Appeal Brief (filed January 5, 2015) (“Appeal Br.”), Reply Brief (filed July 24, 2015) (“Reply Br.”), Final Office Action (mailed August 7, 2014) (“Final Act.”), and the Examiner’s Answer (mailed June 1, 2015) (“Ans.”).

## ANALYSIS

Appellants argue the Examiner's rejection of independent claims 1, 12, 13 and 24 is in error as the combination of the references does not teach

EPG listing programs **chronologically and sequentially** by channel, **a first portion** of the listed programs in the EPG comprising the one or more **personalized recommendations along with the quantified implicit rating for the user for the one or more personalized recommendations** and a second portion of the listed programs in the EPG comprising **no personalized recommendations for the second portion** of listed programs

as recited in independent claim 1 and similarly recited in independent claims 12, 13, and 24. App. Br. 9. Appellants reason that Mori, the reference the Examiner relied upon to teach this feature, teaches displaying an audience rating in the electronic program guide and not a personalized recommendation along with the quantified implicit rating for the user for one or more personalized recommendations, as recited in the independent claims. App Br. 9–14, Reply Br. 3, 4. In response to Appellants' arguments, the Examiner provides a broad interpretation of the claim term "personalized recommendation." Answer 18–19. Further, the Examiner finds that regardless of whether the Examiner's interpretation or Appellants' more narrow interpretation of the term "personalized recommendation" is applied, Mori teaches this feature as Mori's audience ratings are based upon "the trend of the world" which is inclusive of the user. Answer 19.

Appellants' arguments persuade us of error. The Examiner has not shown that the interpretation of a *personalized* recommendation including the "trend of the *world*" audience ratings is consistent with the claim language and Appellants' Specification. Further, we do not find that the Examiner has identified sufficient evidence that the audience ratings,

Appeal 2015-007214  
Application 11/775,643

depicted as stars in Mori's Figure 9, either teach or render obvious displaying quantified implicit ratings for the user for one or more personalized recommendations in an electronic program guide, as claimed. Similarly, the Examiner has not shown the other references of record teach or make obvious such a feature. Accordingly, we do not sustain the Examiner's rejections of claims 1, 2, 4 through 14, and 16 through 26.

#### DECISION

The decision of the Examiner to reject claims 1, 2, 4 through 14, and 16 through 26 is reversed.

REVERSED