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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte MARK D. ACKERMAN and STEPHEN R. CARTER

Appeal 2015-007646
Application 13/278,443
Technology Center 2100

Before ALLEN R MacDONALD, IRVIN E. BRANCH, and
DANIEL J. GALLIGAN, *Administrative Patent Judges*.

GALLIGAN, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants¹ seek our review under 35 U.S.C. § 134(a) of the
Examiner’s final rejection of claims 1 and 4–22.² We have jurisdiction
under 35 U.S.C. § 6(b).

We AFFIRM.³

¹ The Appeal Brief identifies Apple, Inc. as the real party in interest. Br. 1.

² Claims 2 and 3 have been canceled. *See* Br. 3.

³ Our Decision refers to Appellants’ Appeal Brief, filed November 10, 2014 (“Br.”); Examiner’s Answer, mailed June 9, 2015 (“Ans.”); and Appellants’ Specification, filed October 21, 2011 (“Spec.”).

STATEMENT OF THE CASE

Claims on Appeal

Claims 1, 8, and 16 are independent claims. Claims 1, 4, and 5 are reproduced below:

1. A method for establishing a processing environment, comprising:

configuring processing groups within a processing container, each processing group having a unique context and associated with a particular processing device, each context uniquely providing support for one or more applications to enable the one or more applications to be processed within the context in a corresponding processing group;

loading applications within each processing group's context for execution on each processing device;

establishing a processing environment as the processing container that spans the processing groups and their processing devices; and

interfacing each of the processing groups with one another within the processing environment by generating a connector interface for each processing group that defines that processing group's context and input and output formats for each of that processing group's applications, wherein the connector interface is configured to translate data for applications in the corresponding processing group to data for applications in each other processing group.

4. The method of claim 1, wherein providing further includes generically defining the input and output formats from a first connector interface to a second connector interface.

5. The method of claim 4 further comprising, receiving, at the first connector interface, instructions for a particular application to process from the second connector interface, the particular application is a legacy application that is unaware of the first and second connector interfaces, and processing, via the first connector interface, the instructions using an application specific format expected by the legacy application.

Examiner's Rejections

Claims 1, 4–6, 8, 10–16, 20, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Majumder et al. (US 2004/0002936 A1, Jan. 1, 2004). Ans. 2–7.

Claims 7, 9, 17–19, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Majumder and Vaidy Sunderam and Dawid Kurzyniec, (“Lightweight Self-organizing Frameworks for Metacomputing,” Proceedings of 11th IEEE International Symposium on High Performance Distributed Computing 2002). Ans. 2, 7–9.

ANALYSIS

Claims 1 and 6–22

Appellants do not address the rejections of claims 1 and 6–22. *See* Br. 3. As such, we summarily sustain the rejections of these claims. *See* MPEP 1205.02 (“If a ground of rejection stated by the examiner is not addressed in the appellant’s brief, appellant has waived any challenge to that ground of rejection and the Board may summarily sustain it, unless the examiner subsequently withdrew the rejection in the examiner’s answer.”).

Claim 4

Appellants argue that Majumder describes application programming interfaces (APIs) that target a specific device and that “Majumder is limited to describing specific APIs that perform corresponding functions for the container (*e.g.*, interface with the MMSC protocol, perform database accesses, etc.), and does not describe defining input and output formats for first and second connector interfaces.” Br. 9. As such, Appellants contend Majumder does not describe or suggest “***generically defining the input and***

output formats from a first connector interface to a second connector interface,” as recited in claim 4. Br. 9.

Appellants’ arguments are not persuasive of Examiner error. As the Examiner correctly notes, Appellants’ Specification does not define the term “generic.” Ans. 10. However, based on the use of the term in Appellants’ Specification, the Examiner determines that “as long as the formats are such that they may be recognized and used by more than one connector interface, then the formats are generic enough.” Ans. 10–11 (citing Spec. ¶¶ 28, 33, 60). The Examiner explains in detail that Majumder teaches APIs that provide generic formats within the meaning of claim 4. Ans. 9–16. In particular, the Examiner acknowledges that certain APIs in Majumder target specific mobile services, but “these are NOT the APIs that allow[] for communication amongst containers/processing groups that are within the network/container.” Ans. 15. Rather, the Examiner finds that the “APIs of J2EE [(Java 2 Enterprise Edition)] that allow communication amongst containers form the generic input/output format.” Ans. 15.

Appellants do not rebut these findings or respond to the Examiner’s interpretation of the claim, and Appellants’ arguments in the Appeal Brief do not persuade us of error in the Examiner’s rejection. We find that the evidence of record supports the Examiner’s findings, which we adopt as our own, and the conclusion of obviousness. Therefore, we sustain the rejection of claim 4 under 35 U.S.C. § 103(a).

Claim 5

Appellants argue that the cited “sections of Majumder are limited to describing the APIs available in the container and how services must publish their own APIs/drivers.” Br. 10–11 (citing Majumder ¶¶ 36, 37, 55).

Therefore, according to Appellants, “Majumder does not address ‘instructions for a particular application to process from the second connector interface’ and/or the operations in dependent claim 5.” Br. 11.

As with claim 4, the Examiner provides detailed analysis explaining how Majumder teaches the limitations of claim 5. Ans. 17–19. In particular, the Examiner finds paragraph 37 of Majumder “teach[es] that the J2EE APIs used by the connector interface allow[] the container to access or communicate with other services, wherein these other services may be other containers as shown by Fig. 9.” Ans. 17. The Examiner explains:

Because the connector interfaces of containers may communicate with one another to access one another’s services, it then follows that Majumder discloses that a first connector interface can receive API calls/instructions from a second connector interface so that the applications or services within a first container associated with the first connector interface may be accessed by a second container of the second connector interface.

Ans. 17–18. The Examiner finds paragraph 25 of Majumder gives examples of what instructions a connector interface may be asked to provide. Ans. 18.

Appellants do not rebut these findings, and Appellants’ arguments in the Appeal Brief do not persuade us of error in the Examiner’s rejection. We find that the evidence of record supports the Examiner’s findings, which we adopt as our own, and the conclusion of obviousness. Therefore, we sustain the rejection of claim 5 under 35 U.S.C. § 103(a).

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DECISION

We affirm the Examiner's decision to reject claims 1 and 4–22.

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