



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

Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER, NOTIFICATION DATE, DELIVERY MODE. Includes application details for Stacy Young and examiner XIAO, DI.

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):

docket@sbmc-law.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte STACY YOUNG

Appeal 2015-008234
Application 13/298,055¹
Technology Center 2100

Before LARRY J. HUME, SCOTT B. HOWARD, and
STEVEN M. AMUNDSON, *Administrative Patent Judges*.

HOWARD, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from the Final Rejection of claims 1–6, 8–12, 22–24, and 26–32, which constitute all of the claims pending in this application. Claims 7, 13–21, and 25 have been cancelled. App. Br. 44, 45, 47. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

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

THE INVENTION

The disclosed and claimed invention is directed to a “visual editor that defines a workflow.” Spec. ¶ 2. “In addition, a portion of a map is selected with the visual editor by marking a geo fence with boundaries.” Abstract. “The workflow authoring program also establishes a geo decision point in the workflow at which a determination is made if a condition is met within the geo fence.” *Id.*

Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. One or more computer-readable storage devices, comprising instructions executable by one or more processors of a computing device to implement a workflow authoring system configured to generate a location-aware workflow, the generation comprising:
 - invoking a visual editor, the visual editor configured to:
 - receive inputs specifying a sequence of tasks of an initial workflow;
 - insert a node in the initial workflow, the node defining a decision point in the initial workflow, the decision point making a decision based upon a geographic location;
 - display a map in the visual editor; and
 - responsive to receiving an input to select one or more regions of the map, mark the one or more selected regions with boundaries that indicate the selected regions of the map, the decision point comparing the geographic location with the one or more selected regions to determine a branch to follow in the sequence of tasks after the decision point, the determination being based on the geographic location being within one of the one or more selected regions, and the branch being associated with the one of the one or more selected regions.

REFERENCES

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

Budinger	US 7,242,991 B2	July 10, 2007
Florance	US 2009/0132316 A1	May 21, 2009
Karlsson	US 7,565,156 B2	July 21, 2009
Tan	US 2011/0010005 A1	Jan. 13, 2011
Sheridan	US 2011/0178811 A1	July 21, 2011
Binsztok	US 2012/0185793 A1	July 19, 2012

REJECTIONS

Claims 1, 3, 5, 6, 8, 10, 12, 22, 24, 26, 27, and 28 stand rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Sheridan in view of Binsztok. Final Act. 2–8.

Claims 2, 9, 23, and 29 stand rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Sheridan in view of Binsztok and Florance. Final Act. 8–9.

Claim 30 stands rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Sheridan in view of Binsztok, Florance, and Karlsson. Final Act. 9–10.

Claims 31 and 32 stand rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Sheridan in view of Binsztok and Budinger. Final Act. 10–11.

Claims 4, 11, and 25 stand rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Sheridan in view of Binsztok and Tan. Final Act. 11.

ANALYSIS

We have reviewed the Examiner's rejection in light of Appellant's arguments the Examiner erred. In reaching this decision, we have considered all evidence presented and all arguments made by Appellant. We are persuaded by Appellant's arguments regarding the pending claims.

Appellant argues the Examiner erred in finding Sheridan teaches "invoking a visual editor, the visual editor configured to: receive inputs specifying a sequence of tasks of an initial workflow," as recited in claim 1. App. Br. 12–14; Reply Br. 2–4. Specifically, Appellant contends "Sheridan generally describes a navigation system that indicates when a geo-fence specified around the location of the navigation system intersects a geo-fence specified relative to a point of interest." App. Br. 13. Appellant argues that although "[t]he user in Sheridan enters parameters for a search for the point of interest (paragraph 52)[, that is] . . . not a sequence of steps of an initial workflow." *Id.*

Regarding the Examiner's finding regarding Sheridan's OK Diner feature, Appellant argues that also does not invoke a workflow:

The selection of the first business, based on the display of the businesses that are within range, is ***not specifying a sequence of tasks***, as the user is merely selecting a ***single*** destination (*i.e.*, the user is not specifying a sequence of multiple tasks). The selection of the first business and the resulting display of the message from the selected business in Sheridan are not, "invoking a visual editor, the visual editor configured to: receive inputs specifying a sequence of tasks of an initial workflow," as recited by claim 1.

Reply Br. 4.

The Examiner finds Sheridan teaches that "the user can define[] what she or he is looking for . . . [and the] user can select to search a sequence of

task to search, [the] first task is to search best diner, and alternative task to search OK Diner.” Final Act. 3 (citing Sheridan ¶¶ 43–45, 47, 50, 54, 134). The Examiner maps those features to “the visual editor configured to: receive inputs specifying a sequence of tasks of an initial workflow,” recited in claim 1. *Id.* The Examiner expands on how the OK Diner feature is a claimed workflow and finds:

With regard to the aspect of user input specifying a sequence of tasks of an initial workflow. In Sheridan, after a user defines a shape, the user would then defines the search criteria which is the sequence of task. See paragraph 53 to 54 for, for example user first define search for best diner and then defines an alternate search for “Ok Diner”. The system would then search based on the defined sequence tasks for the best diner and then OK diner. There the claim limitation is clearly taught in Sheridan and applicant’s argument is unpersuasive.

Ans. 4.

During examination of a patent application, a claim is given its broadest reasonable construction “in light of the specification, as it would be interpreted by one of ordinary skill in the art.” *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004) (internal citations and quotations omitted). There is a presumption that a claim term carries its ordinary and customary meaning. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). An applicant may rebut this presumption, however, by acting as his own lexicographer, providing a definition of the term in the specification with “reasonable clarity, deliberateness, and precision.” *See In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994).

Claim 1 recites that the visual editor “receive inputs specifying **a sequence of tasks of an initial workflow.**” App. Br. 42 (Claims App’x) (emphasis added). Consistent with the requirements of a workflow recited

in claim 1, the Specification states that a “workflow may be utilized to provide *a sequence of events in which tasks are to be performed.*” Spec. ¶ 4 (emphasis added). The Specification further identifies Figure 1A, which identifies a sequence of events in which tasks are performed, as an illustrative workflow. Spec. ¶ 10, Fig. 1A. Based on the language of the claim, the use of workflow in the specification and its ordinary meaning,² we are persuaded by Appellant’s argument that the Examiner erred. There is nothing in the cited paragraphs of Sheridan that teaches or suggests receiving “inputs specifying a sequence of tasks” to be performed. Accordingly, the Examiner has not identified sufficient evidence or provided sufficient explanation as to how Sheridan teaches the disputed limitation.

On this record, the Examiner has not shown how the additionally cited secondary references — Binsztok, Florance, Karlsson, Budinger, and Tan — overcome the aforementioned deficiencies with Sheridan, as discussed above regarding claim 1.

Therefore, we are constrained on this record to reverse the Examiner’s rejection of claim 1, along with the rejections of claims 8 and 22, which recite limitations commensurate in scope to the disputed limitations discussed above, and dependent claims 2–6, 9–12, 23, 24, and 26–32.

² Workflow is defined as “[t]he sequence of industrial, administrative, or other processes through which a piece of work passes from initiation to completion.” *Workflow*, Oxford Living Dictionary, <https://en.oxforddictionaries.com/definition/us/workflow> (last visited Nov. 2, 2016).

Appeal 2015-008234
Application 13/298,055

DECISION

For the above reasons, we reverse the Examiner's rejections of claims 1–6, 8–12, 22–24, and 26–32.

REVERSED