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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte SANG-HEUN KIM, YOOJIN, HONG,
CHARLES LAURENCE STINSON

Appeal 2016-000989
Application 12/413,919
Technology Center 2100

Before JOSEPH L. DIXON, THU A. DANG, and
TERRENCE McMILLIN, *Administrative Patent Judges*.

DANG, *Administrative Patent Judge*.

DECISION ON APPEAL

I. STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–30 and 36. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

A. INVENTION

According to Appellants, the invention “relates generally to communication technologies and more particularly to a system, device and method for providing context sensitive content on a computing device” (Spec. ¶ 2).

B. ILLUSTRATIVE CLAIM

1. An electronic device comprising:
 - storage configured to maintain a primary web-browser application and a secondary web-browser application;
 - at least one processor connected to said storage and configured to execute said primary web-browser application;
 - an interface connected to said processor, said processor configured to receive a web-page stored at a web-server via said interface, said web-page including context sensitive content related to a plurality of context sensitive items on said web-page, said context sensitive content being able to change without further input from the web-server;
 - a display connected to said processor; said processor further configured to render said web-page on said display;
 - an input device connected to said processor, said processor configured to receive focus on one of said plurality of context sensitive items via said input device placing a pointer over the one context sensitive item; and
 - said processor further configured to respond to receiving the focus by rendering the context sensitive content related to said one of the plurality of context sensitive items on said display via the secondary web-browser application.

C. REJECTION

Claims 1–30 and 36 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the teachings of Lowet (US 2010/0306642 A1; pub. Dec. 2, 2010) and Hayko (US 2002/0095522 A1; pub. Jul. 18, 2002).

II. ISSUES

The principal issues before us are whether the Examiner erred in finding that the combination of Lowet and Hayko teaches or *would have suggested* “an input device” configured to “receive focus on one of said plurality of context sensitive items via said input device placing a pointer over the one context sensitive item,” and “at least one processor” configured to “respond to receiving the focus by rendering the context sensitive content” via a “secondary web-browser application” (claim 1).

III. FINDINGS OF FACT

The following Findings of Fact (FF) are shown by a preponderance of the evidence.

Lowet

1. Lowet discloses Web application script which includes updating the content of an electronic document in a first Web browser in dependence of the update message or the user input event, and updating, in a second browser, the content of the electronic document in the second Web browser in dependence of the update message (Abst.).
2. A script is executed after a new page has been loaded, being triggered by the load event, and all default user actions are prevented when the page is loaded and allowed when the load event had occurred, wherein the actions include focus and the like. (¶ 77).

IV. ANALYSIS

Appellants contend, in Lowet, “focus” in one of “interactions that are ‘prevented’ and then only allowed again *after* the load event has occurred” (App. Br. 11). Thus, “Lowet teaches the *opposite*” of the claimed invention, because “instead of responding to focus by rendering content via a

secondary web browser,” Lowet “teaches *forestalling* any reaction to focus (and other such user actions) until after the load event” (*id.*). Although Appellants do not contest that “Hayko discloses the rendering of context sensitive content related to a context sensitive item via a secondary web-browser application,” Appellants contend “the person of ordinary skill in the art “would be loath to combine that teaching with Lowet’s alleged detection of focus because Lowet teaches *forestalling* any reaction to focus” (App. Br. 12).

We have considered all of Appellants’ arguments and evidence presented. However, we disagree with Appellants’ contentions regarding the Examiner’s rejections of the claims. Instead, we agree with the Examiner’s findings, and are unpersuaded of error with the Examiner’s conclusion that the claims would have been obvious over the combined teachings.

As an initial matter of claim construction, we give the claim its broadest reasonable interpretation consistent with the Specification. *See In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997). However, “limitations are not to be read into the claims from the specification.” *In re Van Geuns*, 988 F.2d 1181, 1184 (Fed. Cir. 1993) (citations omitted).

Although Appellants contend that “instead of responding to focus by rendering content via a secondary web browser,” Lowet “teaches *forestalling* any reaction to focus (and other such user actions) until after the load event” (App. Br. 11), we note claim 1 does not preclude rendering content “after the load event.” That is, claim 1 does not require *immediate* rendering of the content. Instead, as Appellants point out, claim 1 merely requires responding to focus by “rendering the context sensitive content” via a

“secondary web-browser application,” which does not preclude rendering the content after being forestalled.

We agree with the Examiner’s finding that Lowet discloses updating the content of the electronic document in a second Web browser in dependence of a user input (Ans. 21–22; FF 1). In particular, as the Examiner points out, as described in Appellants’ Specification, “[t]he receiving focus may comprise placing a pointer over one of said plurality of context sensitive items using said input device” (Ans. 22, citing Spec. 4, para. 29). Thus, we find no error with the Examiner’s reliance on Lowet for disclosing and suggesting “an input device” configured to “receive focus on one of said plurality of context sensitive items via said input device placing a pointer over the one context sensitive item” as recited in claim 1. In fact, Appellants do not contest the Examiner’s finding that Lowet discloses and suggests a “detection of focus” (App. Br. 13).

We also find no error with the Examiner’s reliance on Lowet for disclosing rendering content “in a second browser” (FF 1), which is also uncontested by Appellants. Further, in Lowet, a script is executed as triggered by the load event, wherein user actions such as “focus” are prevented when the page is loaded *and allowed when the load event had occurred* (FF 2). That is, Lowet discloses and suggests rendering the context sensitive content in response to receipt of the focus after the load event has occurred (*id.*). Even Appellants concede Lowet does provide a “reaction to focus (and other such user actions),” although such reaction is rendered “after the load event” (App. Br. 11).

Further, Appellants also do not contest the Examiner’s reliance on Hayko for disclosing “the rendering of context sensitive content related to a

context sensitive item via a secondary web-browser application” (App. Br. 13). Accordingly, we find no error with the Examiner’s finding that the combination of Lowet and Hayko teaches or at least suggests the contested claim limitations. *See In re Merck & Co., Inc.*, 800 F.2d 1091, 1097 (Fed. Cir. 1986). In particular, we agree with the Examiner’s finding that the combination discloses and suggests “at least one processor” configured to “respond to receiving the focus by rendering the context sensitive content” via a “secondary web-browser application” (claim 1).

Although Appellants contend “the person of ordinary skill in the art would be loath to combine [rendering of context sensitive content] with Lowet’s alleged detection of focus” because “Lowet teaches *forestalling* of any reaction to focus” (App. Br. 13), we note that Appellants do not contest that there is a reaction to focus, although such reaction is forestalled (*id.*). As discussed above, although we agree with Appellants that Lowet teaches forestalling of a reaction to focus, Lowet teaches providing a reaction to focus after the forestalling (FF 2).

On this record, we are unconvinced of Examiner error in the rejection of independent claim 1, and independent claims 16 and 36 not separately argued and falling therewith (App. Br. 9). Appellants do not provide substantive arguments for dependent claims 2–15, and 17–30, depending respectively from claims 1 and 16. Accordingly, we also affirm the rejection of these claims over Lowet and Hayko.

V. CONCLUSION AND DECISION

We affirm the Examiner’s rejections of claims 1–30 and 36 under 35 U.S.C. § 103(a).

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Application 12/413,919

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