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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* FREDRIK JOHANSSON

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Appeal 2016-001163  
Application 13/133,542  
Technology Center 2100

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Before ROBERT E. NAPPI, LINZY T. McCARTNEY, and  
ALEX S. YAP, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is a decision on appeal under 35 U.S.C. § 134(a) of the Examiner's Final Rejection of claims 1, 2, and 4 through 21, which constitute all the claims pending in this application. We have jurisdiction under 35 U.S.C.

§ 6(b).

We affirm-in-part.

## INVENTION

This invention is directed to an electronic device with a scroll bar in the graphical user interface for navigating the display screen. The scroll bar includes an options menu that can be accessed by expanding the scrollbar.

*See Abstract.*

## CLAIMED SUBJECT MATTER

Claim 1 is representative of the invention and reproduced below.

A method of operating an integrated scrollbar options menu in a graphical user interface of an electronic device, comprising:

highlighting a scrollbar that is operable to scroll display content in a first direction corresponding to an axis of the scrollbar in response to a first navigational movement of the scrollbar in the first direction corresponding to the axis and that includes the integrated scrollbar options menu; and

accessing the integrated scrollbar options menu by expanding the scrollbar using a second navigational movement of the scrollbar that is different from the first navigational movement and includes dragging the scrollbar from a collapsed position that hides the integrated scrollbar options menu toward an expanded position that displays the integrated scrollbar options menu.

## REFERENCES AND REJECTIONS AT ISSUE

The Examiner has rejected claims 1, 2, 4 through 7, 9 through 15, and 17 through 21 under 35 U.S.C. § 103(a) as unpatentable over Guido et al. (US 2006/0075357 A1; Apr. 6, 2006), Duncan et al. (US 7,477,233 B2; Jan.

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13, 2009), and Jeong et al. (US 2009/0094562 A1; Apr. 9, 2009). Ans. 3–26.<sup>1</sup>

The Examiner has rejected claims 8 and 16 under 35 U.S.C. § 103(a) as unpatentable over Guido, Duncan, Jeong, and Xia et al. (US 6,252,594 B1; June 26, 2001). Ans. 26–28.

## ISSUES

### Independent claims 1, 9, and 17

Appellant’s arguments, directed to claims 1, 9 and 17 on pages 6 through 9 of the Appeal Brief and pages 4 through 6 of the Reply Brief, in response to the Examiner’s rejection the independent claims present us with the issue: did the Examiner err in finding the combination of Guido and Duncan teaches dragging a scrollbar from a collapsed position that hides the integrated scrollbar options menu toward an expanded position that displays the integrated scrollbar options menu as recited in representative claim 1?

### Dependent claims 4, 5, and 19

Appellant’s arguments, directed to representative claim 4 on pages 9 and 10 of the Appeal Brief and page 6 of the Reply Brief, in response to the Examiner’s rejection of these claims present us with the issue: did the Examiner err in finding that the combination of Guido and Duncan, teaches collapsing the options menu into the scrollbar as recited in representative claim 4?

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<sup>1</sup> Throughout this Decision, we refer to the Appeal Brief dated Apr. 20, 2015; the Reply Brief dated Oct. 29, 2015; and the Examiner’s Answer mailed Sep. 1, 2015.

Dependent claims 8 and 16

Appellant's arguments, directed to representative claim 8 on pages 10 and 11 of the Appeal Brief and page 6 of the Reply Brief, in response to the Examiner's rejection these claims present us with the issue: did the Examiner err in finding that the combination of Guido, Duncan, and Xia teaches collapsing the options menu into the scrollbar as recited in representative claim 8?

ANALYSIS

We have reviewed Appellant's arguments in the Appeal Brief and the Reply Brief, the Examiner's rejections, and the Examiner's response to Appellant's arguments. Appellant's arguments have persuaded us of error in the Examiner's rejection of claims 8 and 16. However, we are not persuaded of error in the rejection of claims 1, 2, 4 through 7, 9 through 15, and 17 through 21.

Independent claims 1, 9, and 17

Appellant's arguments directed to these claims focus on the teachings of Jeong, asserting the reference does not teach the limitation of dragging a scrollbar from a collapsed position that hides the integrated scrollbar options menu toward an expanded position that displays the integrated scrollbar options menu. App. Br. 6–9. In response to Appellant's arguments the Examiner finds that the disputed limitation is taught by the combination of Guido and Jeong. Ans. 29–32. Specifically, the Examiner finds Guido teaches a scrollbar with an integrated scrollbar menu and that Jeong teaches a tag which when dragged in one direction exposes a menu screen and dragged in the other direction hides the menu screen. *Id.* We have reviewed the Examiner's findings and the supporting evidence and concur with the

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Examiner. We note that Guido in para. 21 teaches that right clicking on the scrollbar brings up the scrollbar menu, we consider the use of Jeoug's tag, which exposes and hides a menu, to be nothing more than using known methods to perform their known function. Thus, Appellant's arguments have not persuaded us of error in the Examiner's rejection of representative claim 1 and claims 2, 6, 7, 9, through 15, 17, 18, 20, and 21. Accordingly, we sustain the Examiner's rejection.

Dependent claims 4, 5, and 19

Appellant's arguments directed to these claims focus on the teachings of Jeong, asserting the reference teaches covering and uncovering menu items and not collapsing the scroll bar options into the scroll bar. App. Br. 9–10. The Examiner has provided a comprehensive response on pages 32 and 33 of the Answer. We concur with the Examiner. Further, in as much as Appellant argues there is difference between Jeong's display of the menu and background image, we are not persuaded. As discussed above it is the combination of Jeong and Guida that teaches the disputed limitation and Guido teaches the claimed menu is accessed by interaction with the scroll bar (right clicking on the scroll bar). Accordingly, we are not persuaded of error in the Examiner's rejection of claims 4, 5, and 19, and we sustain the Examiner's rejection.

Dependent claims 8 and 16

Appellant's arguments directed to these claims focus on the teachings of Xia. Appellant asserts that Xia's tool tip texts do not meet the any of the scrollbar options recited in claims 8 and 16 as asserted by the Examiner. App. Br. 10. The Examiner, in response to Appellant's arguments, cites to

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Xia's Figure 8B finding that Xi teaches pop-up menus, which allow the user to scroll a page. Answer 34. We disagree with the Examiner and concur with Appellant's argument that Figure 8B of Xia depicts a text box and not options which the user can select. App. Br. 10–11. Accordingly, we are persuaded of error in the Examiner's rejection of claims 8 and 16, and we do not sustain the Examiner's rejection.

#### DECISION

We sustain the Examiner's rejections of claims 1, 2, 4 through 7, 9 through 15, and 17 through 21 under 35 U.S.C. § 103(a).

We do not sustain the Examiner's rejections of claims 8 and 16 under 35 U.S.C. § 103(a).

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-IN-PART