



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 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/589,755 10/28/2009 Sanjeevkumar V. Dahiwadkar 029411.081329 5067

7590 03/20/2018
Royal W. Craig
Ober, Kaler, Grimes & Shriver
120 East Baltimore Street
Baltimore, MD 21202-1643

EXAMINER

DONLON, RYAN D

ART UNIT PAPER NUMBER

3695

MAIL DATE DELIVERY MODE

03/20/2018

PAPER

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

*Ex parte* SANJEEVKUMAR V. DAHIWADKAR

---

Appeal 2016-004215  
Application 12/589,755<sup>1</sup>  
Technology Center 3600

---

Before PHILIP J. HOFFMANN, KENNETH G. SCHOPFER, and  
ROBERT J. SILVERMAN, *Administrative Patent Judges*.

SILVERMAN, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

The Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's decision rejecting claims 1–3, 5–7, and 9–19. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

---

<sup>1</sup> The Appeal Brief (at page 1) identifies Sanjeevkumar V. Dahiwadkar and IndiSoft LLC as the real parties in interest.

## ILLUSTRATIVE CLAIM

1. A business practice management system, comprising:
  - a hub-and-spoke web-based client/server architecture including a plurality of remote client terminals each including a resident non-transitory computer-readable storage medium, one client terminal for each primary participant in a default mortgage case including at least an Investor, Loan Insurer, Mortgage Lender, Loan Servicer, Loan Service Counselor, Vendor, Foreclosure Attorney, Title Company, and Business Process Outsourcing (BPO) Vendor, Realtor, and Property Inspection Company, and a web server in direct communication with all of said client terminals through an Internet backbone;
  - a Uniform Resource Locator (URL) web portal assigned to each of said participants, said web portal including links to a plurality of index-tabbed webpages each including content for guiding the respective participants through all of the default loan resolution steps: of collection, loss mitigation, foreclosure, eviction, bankruptcy, claims, Real Estate Owned (REO) acquisition and maintenance, and REO disposition;
  - a central database of information stored on a non-transitory computer-readable storage medium resident on said web server and storing case-specific loan records including personal and financial information or mortgagors;
  - a local database stored on said non-transitory computer-readable storage medium resident on each of said remote client terminals and storing containing a mirrored subset of said central database of information resident on said web server; and
  - a modular array of web-based software stored on non-transitory computer-readable storage medium resident on said web server for data exchange with the various participants and the various third party applications used by those participants that facilitates dialogue, guides and educates the participants, tracks activity, and provides information necessary for a speedier resolution, said modular array of software further comprising at least the following software modules,

a communication software module comprising computer instructions for controlling data communication between said web server and any one of said remote client terminals and directly between any plurality of said remote client terminals, and for storing and synchronizing said mirrored local copy of said central database of information on each of said remote client terminals, and,

a system administration software module in communication with said communication software module comprising computer instructions for maintaining a record of user permissions, and for selectively enabling said communication software module to communicate data along said hub-and-spoke web-based client/server architecture such that data communication may selectively occur in accordance with said record of user permissions directly between two of said remote client terminals, but synchronization of said mirrored local copy of said central database of information to each of said remote client terminals is through said web server as follows,

write mirrored data from a local database on a remote client terminal to the central database resident on said web server in accordance with said record of user permissions, and

read mirrored data from the central database resident on said web server to a local database on a remote client terminal in accordance with said record of user permission and

a Task Tracking Module comprising computer instructions for tracking each said data communication between said remote client terminals, and for tracking each said synchronization of said mirrored local copy of said central database of information to each of said remote client terminals through said web server, said Task Tracking Module also tracking activity by the respective participants through all of the default loan resolution steps of collection, loss mitigation, foreclosure, eviction, bankruptcy, claims, Real Estate Owned (REO) acquisition and maintenance, and REO disposition.

## REJECTION

Claims 1–3, 5–7, and 9–19 are rejected under 35 U.S.C. § 101 as ineligible subject matter.

## ANALYSIS

Applying the first step of the methodology delineated in *Alice Corp. Pty. Ltd. v. CLS Bank International*, 134 S. Ct. 2347, 2355 (2014), the rejection states that the claims at issue are directed to the abstract idea of guiding a participant through a default loan resolution. *See* Final Action 31, Answer 5, 9. According to the Examiner, this is a fundamental economic practice and a method of organizing human activities. Answer 7. Under the second *Alice* step, the Examiner determines that the claims recite no more than the use of routine, conventional, and well-understood techniques — i.e., hub-and-spoke architecture, software, the Internet, webpages, and database mirroring — to implement the identified abstract idea. Final Action 32. *See also* Answer 9–10.

Alleging error in the rejection, the Appellant argues that the claims are patent-eligible, because they are not directed to an abstract idea, under the first *Alice* step, and also argues that the claims amount to significantly more than the abstract idea identified in the rejection, under the second *Alice* step. Appeal Br. 11–19. The following discussion focuses on the Appellant’s argument regarding the second *Alice* step, which persuades us of error in the rejection.

In particular, as to the second *Alice* step, the Appellant argues that the specific implementation of database mirroring, in the context of independent claim 1, amounts to significantly more than the abstract idea identified in the rejection. Appeal Br. 18–19. The Appellant explains that the invention

relates to a hub-and-spoke network system architecture, in which different users, having different system permissions, collaborate on loan records housed in a Central Data Repository (CDR) database at a server. Appeal Br. 18 n.2. *See also* Spec. ¶¶ 46–51, 65–73.<sup>2</sup> According to the Appellant, the invention’s use of two-way selective database mirroring solves problems that stem from the hub-and-spoke architecture implementation, yielding significant benefits:

The CDR database is periodically copied (mirrored) onto a participant’s station 20-1 in whole or in part depending on permissions. Conversely, *all or part* of the local databases are mirrored to the CDR (per FIG. 3) and are periodically synched with the Central Data Repository to mirror their contents. Appellant’s software tracking module records changed data and times at which synchronization operations are performed between any two (central or remote) databases, so that changes made prior to a previous update can be ignored. This selective data exchange based on permissions is important because, for example, a Property Inspection company 20-5 of FIG. 2 does not need to have access to the entire contents of the Server 30 local database and so the data exchange limits the data exchanged based on their permissions.

Appeal Br. 18–19 n.2. *See also* Spec. ¶¶ 46–51, 65–73. In addition, the Appellant refers to the Rule 132 Declaration of Sanjeevkumar Dahiwadkar (Oct. 16, 2014) (“Dahiwadkar Decl.”), in support of the position that the claimed two-way selective database mirroring pursuant to a permissions protocol, in a hub-and-spoke architecture, was not conventional when the application was filed, as well as the unique advantages that the invention provides. Appeal Br. 13–14. *See also* Dahiwadkar Decl. ¶¶ 10–11, 14–15.

---

<sup>2</sup> Citations to the Specification refer to Pub. No. US 2010/0106554 A1 (Apr. 29, 2010) — the published version of Application 12/589,755 at issue in this Appeal.

Although the rejection characterizes database mirroring as something “well-known at the time of filing” (Final Action 32), the rejection does not analyze the combination of the database mirroring features together with the use of a hub-and-spoke architecture and permissions protocol, as claimed, nor does the rejection address the alleged significance of these combined elements (*id.*; *see also* Answer 9–10). Essentially, the rejection regards particular elements of claim 1 individually, but “[t]he inventive concept inquiry requires more than recognizing that each claim element, by itself, was known in the art.” *BASCOM Global Internet Servs., Inc. v. AT&T Mobility LLC*, 827 F.3d 1341, 1350 (Fed. Cir. 2016). Indeed, an “inventive concept” that satisfies the second *Alice* step “can be found in the non-conventional and non-generic arrangement of known, conventional pieces.” *Id.* In view of the Appellant’s explanation of the effect of coordinated claim elements, the rejection does not sufficiently establish that the combined activity of various claim elements, as identified by the Appellant, fails to constitute significantly more than the abstract idea itself.

Therefore, we are persuaded of error in the rejection of independent claim 1 — and, for similar reasons, independent claim 7 and dependent claims 2, 3, 5, 6, and 9–19 — such that we do not sustain the rejection of claims 1–3, 5–7, and 9–19 under 35 U.S.C. § 101.

#### DECISION

We REVERSE the Examiner’s decision rejecting claims 1–3, 5–7, and 9–19 under 35 U.S.C. § 101.

REVERSED