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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte LAKSHMINARAYANAN CHIDAMBARAN,
MEHUL DILIP BASTAWALA,
SRINATH KRISHNASWAMY, TIRTHANKAR LAHIRI,
JUAN R. LOAIZA, BIPUL SINHA, and
SRINIVAS S. VEMURI¹

Appeal 2017-005099
Application 11/876,679
Technology Center 2100

Before ERIC B. CHEN, IRVIN E. BRANCH, and MICHAEL J. ENGLE,
Administrative Patent Judges.

BRANCH, *Administrative Patent Judge.*

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134 from a rejection of claims 1–
36. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ According to Appellants, the real party in interest is Oracle International Corporation of Redwood Shores, California. *See* Appeal Br. 2.

CLAIMED SUBJECT MATTER

According to Appellants, the claims are directed to “a client-side cache.” Spec. ¶ 2. Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A computer implemented method for a database server to interact with a client supported by a client-side cache, comprising:

using a computer system which comprises at least one processor to perform a process, the process comprising:

maintaining a series of state identifiers that reflect a state of a database on the database server and are updated according to database transaction commits;

transmitting one or more result sets in response to one or more database queries requested by a client to a client-side cache, wherein the one or more result sets are associated with a first state identifier in the series of state identifiers;

committing one or more database transactions performed on the database;

determining, at the database server, an updated state identifier for the series by changing a current state identifier in the series into the updated state identifier based on committing the one or more database transactions; and

transmitting cache invalidation and the updated state identifier to a non-transitory computer readable storage medium that is accessible by the client to update the client-side cache.

REFERENCES AND REJECTIONS

Claims 1, 3, 8–12, 16, 18–21, 23, 25, 29, and 33 stand rejected under pre-AIA 35 U.S.C. § 102(b) as unpatentable over Eshleman (US 2002/0116457, published Aug. 22, 2002). Final Act. 2–10.

Claims 2 and 13–15 stand rejected under pre-AIA 35 U.S.C. § 103(a) as unpatentable over the combination of Eshleman and Cardone (US 2006/0036676, published Feb. 16, 2006). Final Act. 10–12

Claims 4 and 5 stand rejected under pre-AIA 35 U.S.C. § 103(a) as unpatentable over the combination of Eshleman and Carpenter (US 5,544,345, issued Aug. 6, 1996). Final Act. 13–14.

Claims 6, 7, and 17 stand rejected under pre-AIA 35 U.S.C. § 103(a) as unpatentable over the combination of Eshleman, Cardone, and Perincherry (US 2002/0087798, published July 4, 2002). Final Act. 14–16.

Claims 24, 28, 32, and 26 stand rejected under pre-AIA 35 U.S.C. § 103(a) as unpatentable over the combination of Eshleman and Perincherry. Final Act. 16–21.

Claims 22, 26, 27, 30, 31, 34, and 35 stand rejected under pre-AIA 35 U.S.C. § 103(a) unpatentable over the combination of Eshleman and Degenaro (US 6,823,514, issued Nov. 23, 2004). Final Act. 21–23.

ANALYSIS

Appellants argue independent claims 1, 8, 10, and 18–20 collectively (App. Br. 21–26; Reply Br. 2–13), arguing the dependent claims only on the basis that Cardone, Carpenter, Perincherry, and Degenaro cannot cure Eshleman’s deficiencies with respect to the independent claims (*see* App. Br. 26–29). Accordingly, our decision with respect to the issue raised for the independent claims is dispositive of this appeal.²

² We note Appellants argued the Examiner’s Answer includes a new ground of rejection not designated as such; however, that issue is not before us because it is a petitionable matter (*see* 37 CFR § 1.181(a)(1)) and Appellants waived the right to petition (*see* 37 CFR § 41.40(a)).

Appellants' arguments with respect to the independent claims (App. Br. 21–26; Reply Br. 4–12) raise the issue of whether the Examiner's construction of "client-side cache," such that it includes Eshleman's RSU Cache (Eshleman Fig. 3A), is unreasonable. For the following reasons, we do not find the Examiner's construction to be unreasonable. We therefore sustain the rejections of claims 1–36.

During examination of a patent application, pending claims are given their broadest reasonable construction consistent with the Specification. *In re Am. Acad. of Sci. Tech Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004); *In re Prater*, 415 F.2d 1393, 1404-05 (CCPA 1969). "It is the applicants' burden to precisely define the invention, not the PTO's." *In re Morris*, 127 F.3d 1048, 1056 (Fed. Cir. 1997). Appellants always have the opportunity to amend the claims during prosecution, and broad interpretation by the Examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *Prater*, 415 F.2d at 1404–05.

Appellants' Specification discloses the following:

a caching daemon process may run on a middle tier and be shared between multiple clients. The cache can be located per client session, per client process shared by different sessions in same process, in shared memory/daemon-process on client shared by different client processes on the same machine, or *in a daemon on a different machine shared by different client machines*. A client-side query cache can either be in memory and/or *on physical storage accessible by client processes*.

Spec. ¶ 4 (emphasis added).

The Examiner makes the following findings:

While some of these examples [in paragraph 4 of Appellants' Specification] include a cache located specifically on a client, the cache is also described as being "on a different machine shared by different client machines." This definition clearly describes a

server. Appellant also describes the cache, when it states, “A client-side query cache can either be in memory and/or on physical storage accessible by client processes.” Therefore, the requirements for the cache based on these two definitions includes a server or “differen[t] machine shared by different client machines,” which is accessible by client processes.

Ans. 3 (citing Spec. ¶ 4). Appellants do not persuasively rebut these findings. *See generally* Reply Br. 4–12.

In particular, Appellants do not persuasively establish it is unreasonable for the Examiner to find that Appellants’ definition of “client-side query cache” also applies to “client-side caches” generally. Therefore, we find the Examiner to have reasonably found “client-side cache” to include “physical storage accessible by client processes” based on Appellants’ explicit definition of “client-side query cache.” Ans. 3.

Accordingly, we see no error in the Examiner’s findings that the claimed “client-side cache” reads on Eshleman’s RSU cache. Ans. 4 (“Since the cache described in [0040] can be accessible by the client processes, and multiple different clients can access the cache on a different machine, the cache in . . . Eshleman meets the definition set forth for ‘client-side cache’ by the Appellant in the specification.”).

DECISION

We affirm the Examiner’s decision to reject claims 1–36.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED