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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ARAVIND MUSULURI

Appeal 2017-009862
Application 14/643,729
Technology Center 3600

Before ANNETTE R. REIMERS, BRANDON J. WARNER, and
SEAN P. O'HANLON, *Administrative Patent Judges*.

REIMERS, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE¹

Aravind Musuluri (“Appellant”), proceeding *pro se*, appeals under 35 U.S.C. § 134(a) from the Examiner’s decision to reject² under 35 U.S.C.

¹ The Examiner has withdrawn a 35 U.S.C. § 112(b) indefiniteness rejection of claim 10. *See* Examiner’s Answer (“Ans.”) 2, dated May 12, 2017; *see also* Final Office Action (“Final Act.”) 2–3, dated July 6, 2016.

² The Examiner states that “[t]his communication is responsive to the amendment filed on 04/21/2016. This action has been made NON-FINAL.” Final Act. 2. However, the Office Action Summary (PTOL-326) lists the action as “**FINAL**.” We consider the Examiner’s statement at page 2 of the Final Office Action to be a typographical error. *See also id.* at 9 (indicating that the Office Action is made final).

§ 103: (1) claims 1, 2, 4–8, 10, and 11 as unpatentable over Chevalier (US 8,719,275 B1, issued May 6, 2014) and Hansson (US 2010/0114874 A1, published May 6, 2010) and (2) claim 9 as unpatentable over Chevalier, Hansson,³ and Milic-Frayling (US 2004/0100510 A1, published May 27, 2004). Claim 3 has been canceled. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

CLAIMED SUBJECT MATTER

The claimed subject matter “generally relates to search engine operations and methods to display the results of a search operation. Particularly, the disclosure relates to a system and method for augmenting the results of a search operation by identifying for the user information in the results that is of a remarkable nature.” Spec. ¶ 2, Figs. 1, 3, 5. Claims 1 and 10 are independent.

Claims 1 and 10 are illustrative of the claimed subject matter and recite:

1. A computer implemented method of augmenting search results in a multi-document search environment comprising identifying remarkable data within the search results, wherein the remarkable data comprises a key and a value; said method comprising:
 - (a) Predefining identification rules to identify said remarkable data wherein the identification rule comprises a key and a value, and optionally attributes selected from classification, clarification and combinations thereof;
 - (b) Storing the said identification rules in a storage unit;

³ Presumably, the Examiner intended to include Hansson in Rejection 2. *See* Final Act. 8–9.

(c) Identifying remarkable data within the search results by parsing the search results to identify a key/value pair within the search results;

(d) Matching said key/value pair with the identification rules and identifying matched data as remarkable data within the search results;

(e) Highlighting at least a portion of the remarkable data within search results using presentation semantics within the search results.

10. A search system, comprising: one or more servers; and logic configured to receive a search query and prepare a list of search results matching the search query criteria, the logic further configured to identify remarkable data within the search results with aid of identification rules wherein the identification rule comprises a key and a value, and optionally attributes selected from classification, clarification and combinations thereof, the logic further configured to identify highlighting rule based on classification of the remarkable data and apply presentation semantics from the highlighting rule to the remarkable data and return search results with remarkable data highlighted.

ANALYSIS

Obviousness over Chevalier and Hansson

Claims 1, 2, and 4–8

Claim 1 is directed to a computer implemented method of augmenting search results in a multi-document search environment including “identifying remarkable data within the search results, wherein the remarkable data comprises a key and a value” and the step of “[p]redefining identification rules to identify said remarkable data wherein the identification rule comprises a key and a value.” Appeal Br. 13 (Claims App.).⁴

⁴ Appeal Brief (“Appeal Br.”), filed Feb. 7, 2017.

The Examiner finds that Chevalier discloses “remarkable data,” “but fails to disclose wherein the remarkable data comprises a key and value[] data.” Final Act. 5.⁵ The Examiner also finds that “Hansson discloses wherein the remarkable data comprises a key and value[] data (See Hansson Figure 6, Item 630 & Paragraph 0052).” Final Act. 5 (bolding omitted). The Examiner further finds that the combined teachings of Chevalier and Hansson disclose the step of “[p]redefining identification rules to identify said remarkable data wherein the identification rule (‘a rule which may govern how color is associated to a score’ See Chevalier Column 6, Lines 50-67) comprises a key and a value (See Hansson Figure 6, Item 630 & Paragraph 0052).” *Id.* (bolding omitted).

Appellant contends that the combined teachings of Chevalier and Hansson fails to disclose the step of “[p]redefining identification rules to identify said remarkable data wherein the identification rule comprises a key and a value.” Appeal Br. 9. In particular, Appellant contends that “‘a rule which may govern how color is associated to a score’ of Chevalier . . . in combination with a key and a value of Hansson . . . does not disclose or teach identification rules of the present invention.” *Id.* Specifically, according to Appellant, Hansson does not “disclose data in Item 630 comprises [] rules. Hansson merely discloses presence of key/value pairs in

⁵ The Examiner states that “Chevalier fail[s] to explicitly disclose[] remarkable data (‘high ranking results’ See Chevalier Column 4, Lines 4-6 wherein the [E]xaminer interprets ‘high ranking’ as the same as ‘remarkable data’).” Final Act. 5 (bolding omitted). As the Examiner takes the position that the term “high ranking” in Chevalier constitutes the claimed “remarkable data,” we consider the Examiner’s statement that “Chevalier failed to explicitly disclose[] remarkable data” to be a typographical error.

search results” and “the Examiner has previously asserted Item 630 in FIG. 6 of Hansson comprises [] remarkable data and therefore not rules.” Appeal Br. 9.

As an initial matter, we agree with Appellant that the terms “identification rule[s]” and “remarkable data” have been clearly defined in the Specification. *See* Reply Br. 3⁶; *see also* Ans. 3 (The Examiner’s explanation that Appellant’s claim language fails to clearly define these terms). In this case, the Specification defines “identification rules” to “comprise [] keys and corresponding to each key a value” (Spec. ¶ 52) and “remarkable data” “to include any value associated with a key that is of a remarkable nature as determined by the system” (Spec. ¶ 11). *See* Reply Br. 3. In fact, paragraph 63 of the Specification describes how the key and corresponding value of the identification rule(s) is used to identify remarkable data via matching the key and corresponding value of the remarkable data with the key and corresponding value of the identification rule(s). *See* Spec. ¶ 63; *see also id.* at ¶ 64; Reply Br. 3. In other words, the “key and corresponding value” of the “identification rule[s]” is *different than* the “key and corresponding value” of the “remarkable data.”

Here, the Examiner cites to the *same section* of Hansson (i.e., paragraph 52, Figure 6 Item 630) for disclosing the key and value for *both* the “identification rule(s)” and the “remarkable data.” *See* Final Act. 5. Given that the claim requires “identifying remarkable data within the search results, wherein the remarkable data comprises a key and a value” and given that the section of Hansson cited by the Examiner discusses “search results”

⁶ Reply Brief (“Reply Br.”), filed July 12, 2017.

including “key-value pairs,” we agree with the Examiner that the combined teachings of Chevalier and Hansson disclose the recited “remarkable data.” *See* Final Act. 5; *see also* Hansson ¶ 52, Fig. 6; Appeal Br. 13 (Claims App.). However, the claim also requires an “identification rule” including “a key and a value.” Appeal Br. 13 (Claims App.). The Examiner appears to rely on the teachings of Chevalier for disclosing the “identification rule(s).” *See* Final Act. 5 (“[p]redefining identification rules to identify said remarkable data wherein the identification rule (‘a rule which may govern how color is associated to a score’ *See* Chevalier Column 6, Lines 50-67”) (bolding omitted). The Examiner then appears to rely on the teachings of Hansson for disclosing the “key and value” of the “identification rule(s).” *See* Final Act. 5 (citing Hansson “Figure 6, Item 630 & Paragraph 0052” (bolding omitted)). However, as discussed above, the Examiner cites to the *same section* of Hansson (i.e., paragraph 52, Figure 6 Item 630) for disclosing the key and value for *both* the “identification rule(s)” and the “remarkable data.” *See* Final Act. 5. The Examiner does not direct us to any discussion in Hansson regarding “rules,” let alone “identification rule(s),” having “key-value pairs.” *See* Final Act. 5; *see also* Appeal Br. 9. As such, the Examiner fails to provide sufficient evidence or technical reasoning to establish that the combined teachings of Chevalier and Hansson disclose the “identification rule(s)” of the method of claim 1.

Accordingly, we do not sustain the Examiner’s rejection of claims 1, 2, and 4–8 as unpatentable over Chevalier and Hansson.

Claims 10 and 11

Claim 10 is directed to a search system and, similarly to claim 1, includes the limitation “the identification rule compris[ing] a key and a value.” Appeal Br. 14 (Claims App.). The Examiner does not separately address the limitations of claim 10 in the Final Rejection. *See* Final Act. 8. Rather, the Examiner states that “[c]laims 10–11 are rejected on the same basis as claims 1–2.” *Id.*

As the Examiner “relies on the same basis” to reject claim 10 as claim 1, the Examiner is again relying on the *same section* of Hansson (i.e., paragraph 52, Figure 6 Item 630) for disclosing the key and value for *both* the “identification rule[s]” and the “remarkable data.” *See* Final Act. 5, 8. Additionally, claim 10 recites logic “configured to identify [a] highlighting rule based on classification of [] remarkable data.” Appeal Br. 14 (Claims App.). Appellant contends that, with respect to the subject application, “the highlighting applied is based on the classification attribute of the predefined identification rules.” Appeal Br. 10 (citing Spec. ¶¶ 13, 38).⁷

Appellant’s Specification describes that “[i]n a preferred embodiment, the remarkable data within the search results is highlighted based on the classification attribute of the identification rule.” Spec. ¶ 12.

The Specification also describes:

For each remarkable data identified by the search result parsing logic 112 (FIG. 1) in the search result 502, the search result highlighting logic 113 (FIG. 1) identifies the classification from the corresponding matching identification rule. Based on the classification, the search result highlighting logic 113 (FIG. 1) identifies a highlighting rule.

⁷ Appellant asserts the same arguments for independent claims 1 and 10. *See* Appeal Br. 11.

Spec. ¶ 69; *see also id.* ¶ 70, Figs. 1, 3, 4, 5.

The method of claim 1 recites the highlighting step more broadly than the system of claim 10. *Compare* Appeal Br. 13(Claims App.), *with id.* at 14 (Claims App.). As the Examiner does not address the logic “configured to identify [a] highlighting rule based on classification of [] remarkable data” limitation of claim 10 (*see* Final Act. 8; *see also* Ans. 6–7), the Examiner does not establish by a preponderance of the evidence that the combined teachings of Chevalier and Hansson disclose the search system of claim 10.

Accordingly, for these reasons, we do not sustain the Examiner’s rejection of claims 10 and 11 as unpatentable over Chevalier and Hansson.

Obviousness over Chevalier, Hansson, and Milic-Frayling

Claim 9

Claim 9 depends indirectly from claim 1. *See* Appeal Br. 14 (Claims App.). The Examiner’s rejection of claim 9 is based on the same unsupported findings discussed above with respect to claim 1. *See* Final Act. 8–9. The Examiner does not rely on the teachings of Milic-Frayling to remedy the deficiencies of Chevalier and Hansson. Accordingly, for reasons similar to those discussed above for claim 1, we do not sustain the Examiner’s rejection of claim 9 as unpatentable over Chevalier, Hansson, and Milic-Frayling.

DECISION

We REVERSE the Examiner’s decision to reject claims 1, 2, 4–8, 10, and 11 as unpatentable over Chevalier and Hansson.

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We REVERSE the Examiner's decision to reject claim 9 as unpatentable over Chevalier, Hansson, and Milic-Frayling.

REVERSED