



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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/062,040	10/24/2013	Bharath Sridharan	26405US02	1088
23446	7590	10/02/2019	EXAMINER	
MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			ULLAH, ARIF	
			ART UNIT	PAPER NUMBER
			3683	
			NOTIFICATION DATE	DELIVERY MODE
			10/02/2019	ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mhmpo@mcandrews-ip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte BHARATH SRIDHARAN, JEN-HAO YANG, and
SAHIL BHAGAT¹

Appeal 2018-002319
Application 14/062,040
Technology Center 3600

Before BRADLEY W. BAUMEISTER, SHARON FENICK, and
RUSSELL E. CASS, *Administrative Patent Judges*.

BAUMEISTER, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 2–7 and 9–20, which constitute all of the pending claims. Appeal Br. 1; Final Action mailed Feb. 8, 2017 (“Final Act.”) 2. These claims stand rejected under 35 U.S.C. § 101 as being directed to patent-ineligible subject matter (Final Act. 9–22) and under 35 U.S.C. § 103(a) as being unpatentable (Final Act. 22–31). We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ We use the word “Appellant” to refer to “applicant” as defined in 37 C.F.R. § 1.42. Appellant identifies the real party in interest as Sears Brands, L.L.C. Appeal Brief filed July 10, 2017 (“Appeal Br.”) 2.

CLAIMED SUBJECT MATTER

Appellant describes the present invention as follows: “Methods and apparatus are disclosed that utilizes voice mail messages to direct personalized employee training. Voice mail messages instruct an employee to perform various tasks. Employee actions are monitored to determine whether the various tasks were performed as instructed.” Abstract.

THE REJECTION UNDER 35 U.S.C. § 101

Independent claim 6 is representative of the appealed claims.² It is reproduced below with formatting modified for clarity and emphasis added to the claim language that recites an abstract idea:

6. A computer-implemented method, comprising:
 - [i] *selecting*, with one or more computer systems, *an employee for a training exercise*;
 - [ii] *sending*, from the one or more computer systems *to the selected employee, a callback request that comprises a telephone number for a voice mail message associated with the training exercise*;
 - [iii] *presenting*, with the one or more computer systems, *the voice mail message to the employee via a telephony device in response to an incoming telephone call directed to the telephone number of the call-back request, wherein said presenting the voice mail message comprises instructing the employee to perform a task via a computer device associated with the employee*; and

² In relation to the patent-ineligibility rejection, Appellant generally argues all of the claims together as a group. Appeal Br. 9–22. To that extent, we select independent claim 1 as representative. 37 C.F.R. § 41.37(c)(1)(iv). We address separately claims 11–14, for which Appellant presents additional arguments.

[iv] *monitoring*, with the one or more computer systems, *the employee to determine whether the employee has successfully completed the training exercise in response to the presented voice mail message, wherein said monitoring comprises receiving signals from the computing device to determine, with the one or [more] computer systems based upon the received signals, whether the task has been performed as requested.*

Principles of Law

A. SECTION 101

An invention is patent-eligible if it claims a “new and useful process, machine, manufacture, or composition of matter.” 35 U.S.C. § 101.

However, the U.S. Supreme Court has long interpreted 35 U.S.C. § 101 to include implicit exceptions: “[l]aws of nature, natural phenomena, and abstract ideas” are not patentable. *E.g., Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 216 (2014).

In determining whether a claim falls within an excluded category, we are guided by the Court’s two-step framework, described in *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66 (2012), and *Alice*. *Alice*, 573 U.S. at 217–18 (citing *Mayo*, 566 U.S. at 75–77). In accordance with that framework, we first determine what concept the claim is “directed to.” *See Alice*, 573 U.S. at 219 (“On their face, the claims before us are drawn to the concept of intermediated settlement, *i.e.*, the use of a third party to mitigate settlement risk.”); *see also Bilski v. Kappos*, 561 U.S. 593, 611 (2010) (“Claims 1 and 4 in petitioners’ application explain the basic concept of hedging, or protecting against risk.”).

Concepts determined to be abstract ideas, and thus patent ineligible, include certain methods of organizing human activity, such as fundamental economic practices (*Alice*, 573 U.S. at 219–20; *Bilski*, 561 U.S. at 611);

mathematical formulas (*Parker v. Flook*, 437 U.S. 584, 594–95 (1978)); and mental processes (*Gottschalk v. Benson*, 409 U.S. 63, 67 (1972)). Concepts determined to be patent eligible include physical and chemical processes, such as “molding rubber products” (*Diamond v. Diehr*, 450 U.S. 175, 191 (1981)); “tanning, dyeing, making water-proof cloth, vulcanizing India rubber, smelting ores” (*id.* at 182 n.7 (quoting *Corning v. Burden*, 56 U.S. 252, 267–68 (1854))); and manufacturing flour (*Benson*, 409 U.S. at 69 (citing *Cochrane v. Deener*, 94 U.S. 780, 785 (1876))).

In *Diehr*, the claim at issue recited a mathematical formula, but the Court held that “a claim drawn to subject matter otherwise statutory does not become nonstatutory simply because it uses a mathematical formula.” *Diehr*, 450 U.S. at 187; *see also id.* at 191 (“We view respondents’ claims as nothing more than a process for molding rubber products and not as an attempt to patent a mathematical formula.”). Having said that, the Court also indicated that a claim “seeking patent protection for that formula in the abstract . . . is not accorded the protection of our patent laws, and this principle cannot be circumvented by attempting to limit the use of the formula to a particular technological environment.” *Id.* (citing *Benson* and *Flook*); *see, e.g., id.* at 187 (“It is now commonplace that an *application* of a law of nature or mathematical formula to a known structure or process may well be deserving of patent protection.”).

If the claim is “directed to” an abstract idea, we turn to the second step of the *Alice* and *Mayo* framework, where “we must examine the elements of the claim to determine whether it contains an ‘inventive concept’ sufficient to ‘transform’ the claimed abstract idea into a patent-eligible application.” *Alice*, 573 U.S. at 221 (citation omitted). “A claim

that recites an abstract idea must include ‘additional features’ to ensure ‘that the [claim] is more than a drafting effort designed to monopolize the [abstract idea].’” *Id.* (alterations in original) (quoting *Mayo*, 566 U.S. at 77). “[M]erely requir[ing] generic computer implementation[] fail[s] to transform that abstract idea into a patent-eligible invention.” *Id.*

B. USPTO SECTION 101 GUIDANCE

In January 2019, the United States Patent and Trademark Office (“USPTO”) published revised guidance on the application of 35 U.S.C. § 101. USPTO, 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. 50 (Jan. 7, 2019) (“2019 Guidance”). Under the 2019 Guidance, we first look to whether the claim recites the following:

- (1) any judicial exceptions, including certain groupings of abstract ideas (i.e., mathematical concepts, certain methods of organizing human activities such as a fundamental economic practice, or mental processes); and
- (2) additional elements that integrate the judicial exception into a practical application (*see* MPEP § 2106.05(a)–(c), (e)–(h)).

2019 Guidance, 84 Fed. Reg. 52–55.

Only if a claim (1) recites a judicial exception and (2) does not integrate that exception into a practical application, do we then look to whether the claim:

- (3) adds a specific limitation beyond the judicial exception that is not “well-understood, routine, conventional” in the field (*see* MPEP § 2106.05(d)); or

(4) simply appends well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception.

2019 Guidance, 84 Fed. Reg. 56.

Analysis

STEP 2A, PRONG 1:

Under step 2A, prong 1, of the 2019 Guidance, we first look to whether the claim recites any judicial exceptions, including certain groupings of abstract ideas (i.e., mathematical concepts, certain methods of organizing human activities such as a fundamental economic practice, or mental processes). 84 Fed. Reg. 52–55.

Limitation [i] of claim 6 recites “selecting . . . an employee for a training exercise.” The act of selecting an employee reasonably can be characterized as a mental process—more specifically, a judgment that can be performed in the human mind. The 2019 Guidance expressly recognizes judgments that can be performed in the human mind as mental processes that constitute a patent-ineligible abstract idea. 84 Fed. Reg. 52. Accordingly, limitation [i] reasonably can be characterized as reciting a patent-ineligible abstract idea.

Limitation [ii] recites “sending . . . to the selected employee, a callback request that comprises a telephone number for a voice mail message associated with the training exercise.” The act of sending an employee a request reasonably can be characterized as a method of organizing human activity. More specifically, sending an employee such a request reasonably can be characterized as a method of managing personal behavior or interactions between people, such as a method of teaching or conveying

rules or instructions to be followed. The 2019 Guidance expressly recognizes managing personal behavior and interactions between people, including teaching and following rules or instructions, as certain methods of organizing human activity that constitute patent-ineligible abstract ideas. 84 Fed. Reg. 52. Accordingly, limitation [ii] reasonably can be characterized as reciting a patent-ineligible abstract idea.

Limitation [iii] recites

presenting . . . the voice mail message to the employee . . . in response to an incoming telephone call directed to the telephone number of the call-back request, wherein said presenting the voice mail message comprises instructing the employee to perform a task via a computer device associated with the employee.

Presenting messages to an employee in response to the occurrence of condition precedent also reasonably can be characterizes as a method of organizing human activity that entails a method of managing personal behavior or interactions between people, such as a method of teaching or conveying rules or instructions to be followed. Similar to limitation [ii], then, limitation [iii] reasonably can be interpreted as reciting a patent-ineligible abstract idea.

Limitation [iv] recites “monitoring . . . the employee to determine whether the employee has successfully completed the training exercise in response to the presented voice mail message, wherein said monitoring comprises receiving signals . . . to determine . . . whether the task has been performed as requested.” Monitoring an employee’s training progress reasonably can be characterized as a method of organizing human activity that entails managing personal behavior through teaching. Monitoring an employee’s training progress alternatively can be characterized reasonably

as a mental process that entails observation performed in the human mind. The 2019 Guidance expressly recognizes this certain method of organizing human activity, as well as this sort of mental process, as constituting a patent-ineligible abstract idea. 84 Fed. Reg. 52. Accordingly, limitation [iv] reasonably can be characterized as reciting a patent-ineligible abstract idea.

For these reasons, each of limitations [i]–[iv] reasonably can be characterized as reciting patent-ineligible subject matter under step 2A, prong 1, of the 2019 Guidance.

STEP 2A, PRONG 2:

Under step 2A, prong 2, of the 2019 Guidance, we next analyze whether claim 6 recites additional elements that integrate the judicial exception into a practical application. 84 Fed. Reg. 52–55.

The Examiner determines that the claims as a whole are directed to gathering, assessing, and ranking information, and, as such, are directed to patent-ineligible subject matter. Final Act. 3. Appellant, on the other hand, argues that claim 6, instead, “is directed to a practical, technological solution to a problem.” Appeal Br. 14.

More specifically, Appellant argues that claim 6 addresses the financial problem of companies that have limited training budgets. *Id.* at 14–15. According to Appellant,

[the invention] addresses this problem via an innovative combination of technical equipment . . . to train an employee to perform various tasks that involve the computer device. In this manner, claim 6 addresses a problem unique to the computer arts, namely how to economically train employees to properly operate computer devices to perform the tasks associated with their respective jobs. . . . Claim 6 is therefore not directed to an

abstract idea, but instead to a practical, concrete solution for training employees to perform computer-oriented tasks.

Id. at 15.

Appellant’s argument is unpersuasive. Appellant’s invention entails automating employee training through the use of computers. In *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014), our reviewing court distinguished a claimed solution necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks from claims that “merely recite the performance of some business practice known from the pre-Internet world along with the requirement to perform it on the Internet.” *Id.* at 1257.

“[M]ere automation of manual processes using generic computers does not constitute a patentable improvement in computer technology.” *Credit Acceptance Corp. v. Westlake Servs.*, 859 F.3d 1044, 1055 (Fed. Cir. 2017). Relying on a “processor” to “perform routine tasks more quickly or more accurately is insufficient to render a claim patent eligible.” *OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1363 (Fed. Cir. 2015).

Appellant also presents additional arguments specifically in relation to claims 11–14:

Each of claims 11–14 further recites “storing a plurality of voice mail messages for a plurality of distinct training exercises, wherein each voice mail message of the plurality of voice mail messages is associated with a distinct telephone number.” Thus, each of claims 11–14 sets forth a novel and a nonobvious arrangement of voice mail messages and telephone numbers. Such arrangement permits retrieving and associating appropriate voice mail messages based on a telephone number of an incoming call. As such, each of claims 11–14 sets forth an innovative arrangement that leverages a voice mail system to deliver appropriate training exercises to employees. In this

manner, each of claims 11–14 sets forth structures that render the claims patent-eligible in a similar manner that the database structure set forth in *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1336 (Fed. Cir. 2016) rendered the claims patent-eligible.

Appeal Br. 16.

Appellant’s argument is unpersuasive. In *Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Ass’n*, 776 F.3d 1343, (Fed. Cir. 2014), our reviewing court held ineligible, claims “drawn to the abstract idea of 1) collecting data, 2) recognizing certain data within the collected data set, and 3) storing that recognized data in a memory.” *Id.* at 1347. The court reasoned that “[t]he concept of data collection, recognition, and storage is undisputedly well-known. Indeed, humans have always performed these functions.” *Id.* In the present case, the storage of training materials and use of telephone numbers to obtain them does not improve the functioning of a computer, as in *Enfish*, but, rather, automates training by using the storage and retrieval elements “in [their] ordinary capacity.” *Id.* at 1336.

For these reasons, Appellant does not persuade us that any of claims 6 and 11–14 is directed to an improvement in the function of a computer or to any other technology or technical field. MPEP § 2106.05(a). Nor are these claims directed to a particular machine or transformation. MPEP § 2106.05(b), (c). Nor has Appellant persuasively demonstrated that any of these claims adds any other meaningful limitations. MPEP § 2106.05(e). Accordingly, Appellant has not persuaded us that claim 6 or claims 11–14 integrate the recited abstract ideas into a practical application within the meaning of the 2019 Guidance. 84 Fed. Reg. 52–55.

STEP 2B:

Under step 2B of the 2019 Guidance, we next analyze whether claim 6 adds any specific limitation beyond the judicial exception that is not “well-understood, routine, conventional” in the field. 84 Fed. Reg. 56; MPEP § 2106.05(d).

The Examiner additionally determines that the additional claim elements, viewed individually and as an ordered combination do not add significantly more to the abstract idea to which claim 6 is directed. Final Act. 5.

Appellant argues that the claims add significantly more because the claims do not preempt the abstract idea. Appeal Br. 16–20. This argument is unpersuasive. We recognize that the Supreme Court has described “the concern that drives this exclusionary principle [i.e., the exclusion of abstract ideas from patent eligible subject matter] as one of pre-emption.” *Alice*, 573 U.S. at 216. However, characterizing preemption as a driving concern for patent eligibility is not the same as characterizing preemption as the sole test for patent eligibility. As our reviewing court has explained: “The Supreme Court has made clear that the principle of preemption is the basis for the judicial exceptions to patentability” and “[f]or this reason, questions on preemption are inherent in and resolved by the § 101 analysis.” *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1379 (Fed. Cir. 2015) (citing *Alice*, 573 U.S. at 216). Although “preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility.” *Id.*

Appellant additionally argues the claims are directed to a particular implementation or solution for training employees. Appeal Br. 22.

Appellant further argues that each of the claims “includes significant and meaningful recitations that go beyond mere gathering, analyzing, and ranking [of] information.” *Id.* Appellant contends that the claims “are directed to a particular concrete technical solution to the problem of training employees.” *Id.*

These arguments are not persuasive. We agree with the Examiner that “Applicant presents a business solution to a business problem; not a technical solution to a technical problem.” Final Act. 5. Appellant’s Specification also supports the Examiner’s determination that the claimed “processes are carried out using generic computer components in routine and conventional manner.” *Id.* at 6. *See, e.g.*, Spec. ¶ 12 (indicating that the training system can be connected to backend systems via conventional networks); *id.* ¶ 13 (indicating that the client device may be any conventional type of computing terminal); *id.* ¶ 14 (indicating that any conventional telephony device may be employed); *id.* ¶ 16 (stating the training system 10 may be implemented using a client/server architectures, a peer-to-peer architecture, or other networking architectures); *id.* 27 (explaining that the computing device may include any of various conventional processors, memory, storage device, network interfaces, and input/output devices).

For these reasons, we determine that claim 6 does not recite additional elements that amount to significantly more than the judicial exception within the meaning of the 2019 Guidance. 84 Fed. Reg. 52–55; MPEP § 2106.05(d).

Accordingly, we sustain the Examiner’s rejection of claim 6 under 35 U.S.C. § 101 as being directed to patent-ineligible subject matter. We,

also sustain the 101 rejection of claims 11–14 for the reasons set forth above. And we, likewise, sustain the rejection of claims 2–5, 7, 9, 10, and 15–20, which Appellant does not argue separately. Appeal Br. 9–22.

THE REJECTION UNDER 35 U.S.C. § 103(a)

The Rejections

Claims 2–7 and 9–20 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Miller (US 6,587,668 B1; issued July 1, 2003) and Ball (US 6,240,391 B1; issued May 29, 2001), either alone (claims 4–7 and 11–14) or in view of other references that are not addressed on appeal (claims 3, 4, 10, 11, 17, and 18). Final Act. 18–69; Appeal Br. 22–31. Appellant primarily argues the rejection of independent claim 6, which is reproduced above.

In relation to claim 6, the Examiner relies on Miller for teaching a computer-implemented method of performing automated training and tracking. Final Act. 23. According to the Examiner, Miller discloses “selecting, with one or more computer systems, an employee for a training exercise,” as claimed. *Id.* (citing Miller, col. 8, ll. 22–31). The Examiner further finds that Miller discloses “monitoring, with the one or more computer systems, the employee to determine whether the employee has successfully completed the training exercise,” as claimed. *Id.* (citing Miller, col. 2, ll. 16–20).

The Examiner finds that Miller does not disclose the method by which the employee is instructed to telephonically access the automated training, as claimed. *Id.* at 24. But the Examiner further finds that Ball teaches the claim steps of

sending, from the one or more computer systems to the selected employee, a call-back request that comprises a telephone number for a voice mail message associated with the training exercise; in response to the presented voice mail message; [and] presenting, with the one or more computer systems, the voice mail message to the employee via a telephony device in response to an incoming telephone call directed to the telephone number of the call-back request;

Id. at 24–25 (citing Ball, col. 1, ll. 21–45, col. 2, ll. 10–20, col. 7, ll. 45–60).

The Examiner also finds that Ball teaches the claim requirement that “said presenting the voice mail message comprises instructing the employee to perform a task via a computer device associated with the employee,” as claimed. *Id.* at 25–26 (citing Ball, col. 2, ll. 5–20, col. 6, ll. 23–45, col. 7, l. 61–col. 8, l. 8, col. 13, ll. 12–35). The Examiner also finds that Ball teaches claim 6’s requirement that “said monitoring comprises receiving signals from the computing device to determine, with the one or [more] computer systems based upon the received signals, whether the task has been performed as requested.” *Id.* 27–28 (citing Ball, col. 18, l. 45–col. 19, l. 5, col. 21, ll. 53–60). The Examiner then finds that motivation existed to combine the teachings of Ball and Miller. *Id.* at 28.

Contentions and Analysis

Appellant argues that

Ball does not teach “wherein said presenting the voice mail message comprises instructing the employee to perform a task via a computer device associated with the employee; and . . . wherein said monitoring comprises receiving signals from the computing device to determine, with the one or more computer systems based upon the received signals, whether the task has been performed as requested.”

Appeal Br. 23–24. Appellant contends “that Ball teaches that such interactions are via a telephone set not via a computing device.” *Id.* at 24.

Appellant also assert that “the Final Action does not rely upon Miller for a teaching” these limitations either. *Id.* at 25.

Appellant’s arguments are unpersuasive because the arguments are directed to the teachings of Miller and Ball individually, as opposed to the combined teachings of Ball and Miller, which combination was the basis for the obvious rejection. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. *See In re Keller*, 642 F.2d 413, 426 (CCPA 1981); *In re Merck & Co., Inc.*, 800 F.2d 1091, 1097 (Fed. Cir. 1986).

In relation to claims 11–14, Appellant additionally argues that

Each of claims 11–14 further recites “storing a plurality of voice mail messages for a plurality of distinct training exercises, wherein each voice mail message of the plurality of voice mail messages is associated with a distinct telephone number.” The Appellant respectfully submits that the proposed combination of Miller and Ball does not teach, disclose, or otherwise render obvious one or more of the above-identified aspects of claims 11–14.

Appeal Br. 27.

Appellant further argues that

While Ball may teach structured messages with links that may be activated to call a particular phone number, the Appellant has been unable to locate any teaching in Ball with respect to “storing a plurality of voice mail messages for a plurality of distinct training exercises, wherein each voice mail message of the plurality of voice mail messages is associated with a distinct telephone number.” Ball may teach storing structured messages, but there is no indication that each structured message is associated with a distinct telephone.

Id. at 28.

This argument is unpersuasive. Ball expressly explains that a structured message may link to telephone numbers to retrieve distinct messages:

The structured message may also contain embedded addresses, or “links” as they are currently known in the Internet art, that *specify a telephone address such as a telephone number*, or an IP telephony address. If the recipient performs an action, such as making a keypad entry or supplying a voice input, during his interaction with a structured message, *which action is interpreted by the messaging system to represent a selection by the recipient of a specific link, placement of a call to that telephone number or address associated with that link is effected by the messaging system.*

Ball. Col. 2, ll. 34–45 (emphasis added), *cited in* Final Act. 30.

In the Reply Brief, Appellant argues that the Examiner’s reasoning for why the combination of cited art teaches interactions may be made via a computing device is based upon impermissible hindsight. Reply Br. 7. According to Appellant, the reasoning “is explicitly based on knowledge gleaned only from the Applicant’s own disclosure.” *Id.*

More specifically, Appellant points to the following explanation that appears in the Examiner’s Answer:

[P]aragraph 0014 of the Appellant[’]s specification, where the specification states “In such embodiments, the client device 20 may eliminate separate telephony devices 22 and may instead provide the functionality of both the telephony device 22 and the client device 20.” In light of this information it is apparent that the Applicant in the specification argues both a telephony and client device. Thus, one of ordinary skill in the art would agree that Ball teaches a client device that teaches the functionality of the claimed invention, while the combination of Miller and Ball teach all the limitations of claim 6 (the claim in question).

Ans. 8–9, *cited in* Reply Br. 7.

This argument is unpersuasive. We do not interpret this statement to be expressing an improper reliance on Appellant's Specification for providing a motivation for why one would want to add or somehow modify a client device. We, instead, understand the Examiner to be explaining how one of ordinary skill would interpret the meaning of the claim term "client device" in light of Appellant's usage of the term within Appellant's Specification.

Conclusions Regarding the Obviousness Rejection

For the foregoing reasons, Appellant has not persuaded us of error in the Examiner's obviousness rejection of independent claims 6 and 11. Accordingly, we sustain the Examiner's rejection of those claims over Miller and Ball, as well the rejection as claims 4–7 and 12–14, which Appellant does not argue separately from claims 6 and 11, respectively. Appeal Br. 29–31.

We likewise sustain the Examiner's remaining obviousness rejections of claims 2, 3, 9, 10, 16, and 17 over Miller, Ball, and additionally cited references. Appellant has not particularly pointed out errors in the Examiner's reasoning regarding the additional references' teachings, but merely relies on the same arguments regarding the alleged deficiencies of Miller and Ball that are set forth in relation to independent claims 6 and 11. Appeal Br. 29–31.

CONCLUSION

In summary:

Claims Rejected	Basis	References	Affirmed	Reversed
2–7 and 9–20	§ 101		2–7 and 9–20	
4–7 and 11–14	§ 103	Miller and Ball	4–7 and 11–14	
2 and 9	§ 103	Miller, Ball, and Araki	2 and 9	
3 and 10	§ 103	Miller, Ball, Araki, and Rector	3 and 10	
16	§ 103	Miller, Ball, and Loos	16	
17	§ 103	Miller, Ball, Loos, Araki, and Rector	17	
Overall Outcome			2–7 and 9–20	

TIME PERIOD FOR RESPONSE

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). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED