UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/231,669	09/13/2011	Jeff Harding	04190-P0259A	5960

137670   7590   10/29/2019

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ART UNIT	PAPER NUMBER
2457	

MAIL DATE	DELIVERY MODE
10/29/2019	PAPER

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PTOL-90A (Rev. 04/07)

UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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Ex parte JEFF HARDING, PETTER DAHLSTEDT, THOMAS PAULY,
and JOAKIM OLSSON

_____

Appeal 2018-003463
Application 13/231,669[1]
Technology Center 2400

_____

Before JOHN A. EVANS, MATTHEW J. McNEILL, and
SCOTT E. BAIN, *Administrative Patent Judges*.

EVANS, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant[2] seeks our review under 35 U.S.C. § 134(a) of the
Examiner's Non-Final Rejection of all pending claims, i.e., Claims 1–16, 18,
and 19. Appeal Br. 1. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.[3]

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[1] An oral hearing was held October 8, 2019.
[2] We refer collectively to the inventors as "Appellant" as defined in 37
C.F.R. § 1.42. The Appeal Brief identifies ABB Schweiz AG, as the real
party in interest. Appeal Br. 2.
[3] Rather than reiterate the arguments of Appellant and the Examiner, we
refer to the Appeal Brief (filed August 23, 2017, "Appeal Br."), the Reply

STATEMENT OF THE CASE

The claims relate to a method for control in a process control system. *See* Abstract.

INVENTION

Claims 1, 10, 18, and 19 are independent. Appeal Br. 8. An understanding of the invention can be derived from a reading of representative Claim 1[4], which is reproduced below with some formatting added:

> 1.   A method for control in an industrial process control system, the industrial process control system including control objects configured to monitor and control an industrial process or equipment in the industrial process control system, said method comprising the steps of:
>
> running a client application locally in a first computer processing environment on a computer or workstation, which is communicatively connected to the process control system, said client application executing processes to control and monitor said industrial process or equipment, said client application providing a first graphical user interface which includes graphic representations of one or more of said control objects for monitoring and controlling said industrial process or equipment;
>
> running a second application locally in a second computer processing environment for monitoring and

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Brief (filed February 12, 2018, "Reply Br."), the Examiner's Answer (mailed December 13, 2017, "Ans."), the Non-Final Action (mailed March 3, 2017, "Non-Final Act."), and the Specification (filed June 6, 2013, "Spec.") for their respective details.

[4] Appellant states independent "Claims 10, 18, and 19 variously recite the above features of claim 1." Appeal Br. 10.

controlling at least one of said control objects, said second computer processing environment is communicatively connected to the process control system and is separate from said first computer processing environment, said second application providing a second different graphical user interface which includes graphic representations of said at least one of said control objects, said second graphical user interface being different from the first graphical user interface;

generating a graphic image output of said second graphical user interface, said graphic image output is configured for transmission to the first computer processing environment;

sending said graphic image output in a graphic output format from said second application to said first computer processing environment via an intermediate service;

integrating said second graphical user interface, by means of view integration, into said first graphical user interface so that a single integrated graphical user interface concurrently displays data processed by the client application and data processed by the second application;

accepting user input to said second graphical user interface within said integrated graphical user interface; and

sending information from said user input via said intermediate service to said second application, said second application processing said information in said second computer processing environment.

References and Rejection

Claims 1–16, 18, and 19 stand rejected under pre-AIA 35 U.S.C. 103(a) as unpatentable over Adams (US 2009/0254854 A1; published October 8, 2009) and Mazzaferri (US 2009/0070404 A1; published March 12, 2009).

ANALYSIS

We have reviewed the rejection of Claims 1–16, 18, and 19 in light of Appellant's arguments that the Examiner erred. Appellant persuades us the Examiner has erred. We consider Appellant's arguments as they are presented in the Appeal Brief, pages 8–15.

CLAIMS 1–16, 18, AND 19: OBVIOUSNESS OVER ADAMS AND MAZZAFERRI.

Because Appellant argues all claims on the basis of Claim 1 (*see* Appeal Br. 10, 15), we analyze the rejection on the basis of Claim 1 and refer to the rejected claims collectively herein as "the claims." *See* 37 C.F.R. § 41.37(c)(1)(iv); *In re King*, 801 F.2d 1324, 1325 (Fed. Cir. 1986).

Integrating a second graphical interface into a first graphical interface.

Claim 1 recites, *inter alia*, "integrating said second graphical user interface, by means of view integration, into said first graphical user interface so that a single integrated graphical user interface concurrently displays data processed by the client application and data processed by the second application." The Examiner finds Adams generally teaches the claimed invention, but Adams fails to teach the above, accused limitation. Non-Final Act. 4. The Examiner finds Mazzaferri teaches an integrated desktop environment where resources generated on a local machine and on a remote machine are shown. Non-Final Act. 5. The Examiner further finds a user of remote machine requests execution of a local resource displayed in a remote display whereby the user interacts with a graphical representation

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and a remote agent sends the request to a local agent for displaying in both a local window and a corresponding remote window. *Id.*

Appellant contends Mazzaferri teaches a method for generating a desktop environment of a remote machine for display on a local machine. Appeal Br. 11. Appellant argues the Mazzaferri method merely provides access to the resources of the local and remote machines wherein the desktop environment of the remote machine is displayed on a local machine. *Id.* However, Appellant argues Mazzaferri does not integrate the remote and local GUI into a single, integrated GUI which concurrently displays the data processed by the remote and local applications. *Id.*

In the Non-Final Action, the Examiner found Adams fails to disclose "integrating said second graphical user interface, by means of view integration, into said first graphical user interface." Non-Final Act. 4. With respect to Mazzaferri, the Examiner made no finding regarding integration of multiple windows into a single window. *See* Non-Final Act. 5. Neither finding relied upon a finding under 35 U.S.C. § 112, 6th paragraph. *See Id.* at 4–5.

The Answer, in contrast to the Non-Final Action, found

> if interpreted under 35 USC 112 6th paragraph, the limitation is marginally afforded a more narrow interpretation than that of the limitation as a whole, at most having streaming the GUI (via a technique similar to RDP [Remote Desktop Protocol], but no additional structure defined as to the technique necessarily being used by view integration).

Ans. 3 (emphasis omitted). The Examiner further finds "the limitation is marginally afforded a more narrow interpretation than that of the limitation

as a whole, at most having *streaming* the GUI." *Id.* Thus, the Examiner reads the "view integration" limitation out of the claims.

Appellant contends, in contrast to prior approaches, the present invention integrates "a second graphical user interface (provided by a second, remote application running in a second computer processing environment) into a first graphical user interface (provided by a client application running in a first computer processing environment on a computer or workstation where a user is located) using View Integration." Reply Br. 2. Appellant quotes the Specification:

> The principle advantage of the present invention is that it provides a solution where user interfaces of integrated applications can be integrated in a single system user interface without installing any code components from those applications. This is referred to as View Integration. The invention involves remote viewing, or sharing a view, and does not involve sharing an executable computer application or program.

Spec., ¶ 12.

> View Integration, in meaning used in this description, is when the user interface (UI) of a non-core application, or extended application, is streamed to an integrated view in the control systems user interface (UI), using a technique similar in principle to the Windows service called Remote Desktop.

Spec., ¶ 13.

Appellant argues the second application runs in the second computer processing environment, separate from the first computer processing environment, and graphical information on the second GUI is intercepted and sent as pixel information to the first computer processing environment where the control system's user interface (provided by the client application

for core functions) is running. Reply Br. 3 (citing Spec., ¶ 14). Appellant

argues the two, separate graphical user interfaces are then integrated into a

single integrated GUI. *Id.*

The Examiner finds Adams fails to teach integration of first and

second windows. Non-Final Act. 4. The Examiner relies upon Mazzaferri

to teach integration of windows. *Id.* at 5.

We find neither Mazzaferri, nor Adams, teaches integration of local

and remote GUI into a single GUI. Mazzaferri (relied upon by the

Examiner) discloses a remote agent transmits to a local agent "a z-order

entry for the window displaying the plurality of icons." Mazzaferri, ¶ 9.

Mazzaferri further discloses "a window 206e in the plurality of data objects

206a-n has a z-order entry such that it is displayed beneath the other

windows in the plurality of data objects 206a-n." *Id.* ¶ 76. Microsoft

discloses:

> The *z-order* of a window indicates the window's position
> in a stack of overlapping windows. This window stack is
> oriented along an imaginary axis, the z-axis, extending outward
> from the screen. The window at the top of the z-order overlaps
> all other windows. The window at the bottom of the z-order is
> overlapped by all other windows.

Microsoft, Windows Features (emphasis omitted).[5] In disclosing a z-order

entry, Mazzaferri fails to teach integration of multiple windows, but rather

teaches overlapping of a plurality of windows.

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[5] Microsoft, Windows Features, https://docs.microsoft.com/en-
us/windows/win32/winmsg/window-features#z-order, 05302018 (accessed
10/10/2019).

Because we find the prior art fails to teach at least one limitation, we decline to sustain the rejection of Claims 1–16, 18, and 19 under 35 U.S.C. § 103(a).

DECISION

The rejection of Claims 1–16, 18, and 19 under 35 U.S.C. § 103(a) is REVERSED.

Claims Rejected	35 U.S.C. §	Basis	Affirmed	Reversed
1–16, 18, 19	103(a)	Adams, Mazzaferri		1–16, 18, 19

REVERSED