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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte MIRON VRANJES, MATTHEW ISAAC WORLEY, NILS
ANDERS SUNDELIN, CHAITANYA SAREEN, ROBERT JAMES
JARRETT, JESSE CLAY SATTERFIELD, ALICE STEINGLASS,
and RICHIE FANG

Appeal 2018-004907
Application 13/872,159
Technology Center 2100

Before MAHSHID D. SAADAT, ERIC S. FRAHM, and JOHN A. EVANS,
Administrative Patent Judges.

SAADAT, *Administrative Patent Judge.*

DECISION ON APPEAL¹

Pursuant to 35 U.S.C. § 134(a), Appellant² appeals from the
Examiner's decision to reject claims 1, 3–10, 12–23, which are all the claims
pending in this application.³ We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

¹ An oral hearing was held for this appeal on December 6, 2019.

² We use the word “Appellant” to refer to “applicant” as defined in
37 C.F.R. § 1.42(a) (2017). Appellant identifies the real party in interest as
Microsoft Technology Licensing, LLC. Appeal Br. 2.

³ Claims 2 and 11 have been canceled.

STATEMENT OF THE CASE

Introduction

Appellant's disclosure is directed to methods and interfaces for switching between two authentication user interfaces as the user interacts with the graphical user interface through finger contacts and gestures on a touch-sensitive surface. *See* Spec. ¶¶ 6–8.

Illustrative Claim

Claim 1 is illustrative of the invention and reads as follows:

1. A method comprising:

detecting a selection of visible content of a first application window within a user interface and detecting an initiation of a directional placement instruction regarding the selected visible content of the first application window within the user interface;

converting the selected visible content of the first application window within the user interface into a placeable representation of an application associated with the selected visible content responsive to the initiation of the directional placement instruction and prior to completion of the directional placement instruction;

detecting the completion of the directional placement instruction after conversion of the selected visible content of the first application window within the user interface; and

launching a second application window associated with the selected visible content, the launching being triggered by the detection of the completion of the directional placement instruction.

The Examiner's Rejections

Claims 1, 3–10, 12–14, 16, and 18–23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over La Fetra (US 2006/0053384 A1; pub.

Appeal 2018-004907
Application 13/872,159

Mar. 9, 2006), Schacher (US 6,002,402; iss. Dec. 14, 1999), and Chaudhri (US 2009/0058821 A1; pub. Mar. 5, 2009). Final Act. 4–18.

Claims 15 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over La Fetra, Schacher, Chaudhri, and Cutler (US 2005/0188329 A1; pub. Aug. 25, 2005). Final Act. 18–20.

ANALYSIS

In rejecting claim 1, the Examiner finds La Fetra discloses the recited method steps of “detecting a selection of visible content . . . and detecting an initiation of a directional placement instruction,” “detecting the completion of the directional placement instruction” and “launching second application window associated with the selected visible content,” but not “converting the selected visible content . . . into a placeable representation of an application . . . and prior to completion of the directional placement instruction.” Final Act. 4–5 (citing La Fetra Figs. 2, 6; ¶¶ 27, 37 (drag and drop)). The Examiner relies on Schacher as disclosing “converting the selected visible content . . . into a placeable representation of an application.” Final Act. 6 (citing Schacher Fig. 3; col. 7, l. 41–col. 8, l. 2). Finally, the Examiner finds Chaudhri discloses converting the selected content “prior to completion of the directional placement instruction.” Final Act. 7 (citing Chaudhri Fig. 6; ¶ 66).

Appellant contends the Examiner erred in characterizing the sensitive area in the media player of La Fetra as the claimed second application window that is launched upon detecting that the directional placement, or the drag and drop, is completed because:

However, nothing in La Fetra discloses or suggests that the sensitive area is “active” or “activated” as asserted by the Office.

La Fetra discloses a few scenarios of opening content, none of which disclose or suggest, “launching a second application window.” In paragraph [0027], La Fetra states “selection of a link to online content triggers the internet browser application to go to the desired URL and display the selected content from the internet.” However, triggering a browser to go to a URL does not disclose or suggest, “launching a second application window.” Paragraph [0029] of La Fetra states, “a module predefined with the title: ‘My Music’ is predefined to open content with a music media player application, through the media player window within the GUI. That is, the GUI will attempt to open any link contained in the My Music module with a music media player.” Opening content in a media application through the media player window within the already launched GUI does not disclose or suggest that a second application window is launched. These scenarios fail to disclose or suggest any notion of the sensitive area being “active” or “activated,” much less “launching a second application window.” Even if La Fetra disclosed or suggested that the sensitive area was “active” or “activated,” which the Appellant does not concede, the Appellant submits that activating a sensitive area does not reasonably disclose or suggest, “launching a second application window.”

Appeal Br. 9. Appellant specifically asserts “La Fetra’s sensitive area being used to open content does not reasonably disclose or suggest “launching a second application window” because nothing in La Fetra disclose or suggests that any window is launched responsive to the disclosed dragging/dropping operations.” *Id.*⁴

The Examiner responds by explaining that:

However, the claim limitation recites “launching a second application window . . .”, which means the window is launched not the application itself. So, even though La Fetra describes the applications associated with the available content being launched

⁴ We do not address Appellant’s other contentions, including the discussion of a declaration filed under 37 C.F.R. § 1.132, because this contention is dispositive of the issue on appeal.

at the time the GUI is launched, the second application window (i.e. opened selected content) is not launched until the selected content is dropped into the sensitive area of the GUI itself [**Fig. 6, (670), Para. 37 of La Fetra**].

Ans. 5.

La Fetra discloses a graphical user interface (GUI) 100 that includes multiple modules called categories 106 and a media player window 114.

¶ 18. The description of Figures 1 and 6 of La Fetra teaches selection of a link and launching its content in the sensitive area 118 of the media player 114 when the user drags a link from the category list and drops the link onto the sensitive area on the media player. *See* ¶¶ 26, 35–37. Therefore, as further asserted by Appellant, “the sensitive area and the opened content are disclosed as being displayed in the same window (e.g., the GUI), which is opened and displayed prior to the drag/drop operation” or “refreshing or loading a webpage within an already opened browser or within an already displayed GUI window does not disclose or suggest launching a new browser or GUI window.” Reply Br. 3.

Conclusion

For the above reasons, we agree with Appellant that the Examiner’s proposed combination does not teach or suggest the recited features of claim 1. Therefore, Appellant’s arguments have persuaded us of error in the Examiner’s position with respect to the rejections of independent claim 1, other independent claims which recite similar limitations (*see* claims 10 and 19), as well as the remaining claims dependent therefrom. *See* Appeal Br. 20–23 (Claims App.).

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Basis	Affirmed	Reversed
1-6, 15-21	103	La Fetra, Schacher, Chaudhri		1, 3-10, 12-14, 16, 18-23
15, 17	103	La Fetra, Schacher, Chaudhri, Cutler		15, 17
Overall Outcome				1, 3-10, 12-23

REVERSED