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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* IMRAN CHAUDHRI and MARCEL VAN OS

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Appeal 2018-006652  
Application 14/142,648  
Technology Center 2100

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Before ERIC B. CHEN, NORMAN H. BEAMER, and JOYCE CRAIG,  
*Administrative Patent Judges.*

CRAIG, *Administrative Patent Judge.*

DECISION ON APPEAL

STATEMENT OF THE CASE

Pursuant to 35 U.S.C. § 134(a), Appellant<sup>1</sup> appeals from the Examiner's decision rejecting claims 1–7, 9, and 13–16.<sup>2</sup> *See* Final Act. 1.

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<sup>1</sup> 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 Apple Inc. Appeal Br. 4.

<sup>2</sup> Claims 8 and 10–12 stand objected to as being dependent upon a rejected base claim, but the Examiner indicated they would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Final Act. 9.

We have jurisdiction under 35 U.S.C. § 6(b). An oral hearing was held on February 19, 2020.

We reverse.

### CLAIMED SUBJECT MATTER

The claims are directed to a device, method, and graphical user interface for managing folders with multiple pages. Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A non-transitory computer readable storage medium storing one or more programs, the one or more programs comprising instructions, which when executed by an electronic device with a display cause the device to:

concurrently display a plurality of selectable user interface objects that includes one or more folder icons on the display;

detect a first input that corresponds to a request to select a respective folder icon for a respective folder, the respective folder including a first number of selectable icons divided between a plurality of distinct separately displayed pages, including a first page and a second page; and

in response to detecting the first input, display a folder view for the respective folder, wherein:

the folder view includes room to simultaneously display no more than a second number of selectable icons that is less than the first number of selectable icons; and

the folder view displays the first page that includes a first subset of the selectable icons in the folder;

while displaying the first page of the folder view, detect a second input that corresponds to a request to display the second page of the folder view; and

in response to detecting the second input, cease to display the first page of the folder view and display the second page of the folder view for the respective folder, wherein the second page of the folder view includes a second subset of the selectable icons different from the first subset of the selectable icons.

## REJECTION

Claims 1–7, 9, and 13–16 stand rejected under 35 U.S.C. § 102(e) as anticipated by Wasko (US 2011/0061010 A1, published Mar. 10, 2011).  
Final Act. 4.

## ANALYSIS

With respect to independent claim 1, Appellant contends the cited portions of Wasko do not disclose the limitation “display a folder view for the respective folder, wherein [] . . . the folder view displays the first page that includes a first subset of the selectable icons in the folder,” as recited in claim 1. Appeal Br. 12 (alteration in original). Appellant argues that Wasko does not disclose receiving an input corresponding to a folder icon and then, in response, displaying first and second pages of a folder view of the respective folder corresponding to the folder icon. Reply Br. 4. In particular, Appellant argues that nothing in Wasko Figure 3 depicts the contents of any of the folder icons, much less a “first page that includes a first subset of the selectable icons in the folder.” Appeal Br. 13. Appellant further argues that paragraphs 36–40 of Wasko do not disclose viewing the contents of the folders. *Id.*

The Examiner relied on Figure 3 and paragraphs 36–40 of Wasko as disclosing the disputed limitation. Final Act. 5. The Examiner found that Wasko detects a first input that corresponds to a request to select a respective folder icon (selecting folder icon 308a, in Wasko Figure 3) for a respective folder. *Id.* at 4. The Examiner further found that Wasko discloses a respective folder including a first number of selectable icons divided between a plurality of distinct separately displayed pages, including a first page and a second page (in response to the selected folder icon 308a, the

corresponding pages 1 through 4 (320) are rendered in the first portion (GUI 302) in Wasko Figure 3). *Id.* at 5.

We are persuaded that the Examiner erred. Wasko discloses that a user may select a folder to “sync” selected user selectable applications to. Wasko ¶ 37. Wasko discloses that each of the application icons 318 for the selected user selectable applications 310 “may be automatically inserted into the selected folder 308a-n in the second portion 304.” *Id.* Wasko further discloses that “[w]ithin the folder 308a-n, the selected application icons 318 may be inserted in any manner desired.” *Id.* ¶ 38. The Examiner has not clearly explained where Wasko discloses that the synced applications appear in pages 1 through 4 of the first portion 302 in Figure 3.

To the extent the Examiner relies on aspects of Wasko’s Figures 2A–2D in addition to Figure 3, Figures 2A–2D do not depict a folder view for the respective folder, wherein the folder view displays the first page that includes a first subset of the selectable icons in the folder and Figure 3 are different example of a graphical user interface. *See* Ans. 9–10; Wasko ¶ 36. Moreover, elements from different embodiments in a reference cannot be combined to support an anticipation rejection. *See Net MoneyIN, Inc. v. VeriSign, Inc.*, 545 F.3d 1359, 1371 (Fed. Cir. 2008). To the extent the Examiner relies on paragraphs 41–55 of Wasko, we find nothing in those paragraphs that discloses a folder view that displays a first page that includes a first subset of the selectable icons in the folder. *See* Ans. 8–10.

For these reasons, the Examiner has not shown that Wasko discloses the disputed limitation.

Accordingly, on this record, we find at least one error in the Examiner’s reliance on the cited prior art to disclose the limitations of claim

1, as well as independent claims 15 and 16, which recite similar limitations. *See* Appeal Br. 25–27. Thus, we reverse the Examiner’s finding of anticipation of independent claims 1, 15, and 16, and dependent claims 2–7, 9, 13, and 14, which stand therewith.

Because it is dispositive that the Examiner has not shown by a preponderance of evidence that the cited prior art discloses the disputed limitation “display a folder view for the respective folder, wherein [] . . . the folder view displays the first page that includes a first subset of the selectable icons in the folder,” we do not address other issues raised by Appellant’s arguments related to these claims. *See Beloit Corp. v. Valmet Oy*, 742 F.2d 1421, 1423 (Fed. Cir. 1984) (finding an administrative agency is at liberty to reach a decision based on “a single dispositive issue”).

#### DECISION

We reverse the decision of the Examiner rejecting claims 1–7, 9, and 13–16.

#### DECISION SUMMARY

<b>Claims Rejected</b>	<b>35 U.S.C. §</b>	<b>Reference(s)/Basis</b>	<b>Affirmed</b>	<b>Reversed</b>
1–7, 9, 13–16	102(e)	Wasko		1–7, 9, 13–16

REVERSED