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EXAMINER
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RICHARD JAY COHEN, ANNE LOUISE BOLGERT, RANDOLPH MICHAEL FORLENZA, MIGUEL SANG, and KRISHNA KISHORE YELLEPEDDY

Appeal 2018-008336
Application 14/487,414
Technology Center 2400

Before ERIC B. CHEN, JENNIFER L. McKEOWN, and CARL L. SILVERMAN, *Administrative Patent Judges*.

McKEOWN, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant[1] appeal under 35 U.S.C. § 134(a) from the Examiner's decision to reject claims 1–17 and 20.[2] We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

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[1] According to Appellant, the real party in interest is International Business Machines Corporation. Appeal Br. 1.

[2] Although the Examiner and Appellant list claims 18 and 19 as rejected, the pending rejection in the Final Action do not include these claims. *See* Final Act. 2–9 (including no discussion of claims 18 and 19). Claims 18 and 19 were rejected under 35 U.S.C. 112 and 35 U.S.C. 101 in Non-Final Office Action, dated March 27, 2017, but these rejections were withdrawn. *See* Final Act. 2.

STATEMENT OF THE CASE

Appellant's disclosed and claimed invention "relates generally to web application security and in particular to onboarding applications used in association with a Web portal." Spec. p. 1, ll. 5–6.

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

> 1. A method for automated on-boarding of a web application in association with a proxy that provides authentication and authorization functions on behalf of web applications that are coupled to the proxy, comprising:
>
> monitoring communications to and from the web application as a first set of users interact with the web application to discover data indicative of one or more application characteristics;
>
> analyzing the data against one or more rules to identify the one or more application characteristics;
>
> based on the one or more identified application characteristics determined by monitoring communications to and from the web application as the first set of users interact with the web application, generating a set of configuration data to be used to configure the web application to the proxy so that the proxy can thereafter provide the authentication and authorization functions on behalf of the web application; and
>
> applying the configuration data to the proxy to thereby on-board the web application so that the proxy thereafter provides authentication and authorization functions on behalf of the web application;
>
> wherein at least the monitoring and analyzing operations are carried out in software executing in one or more hardware processing elements.

THE REJECTIONS

The Examiner rejected claims 1–3, 6, 8–10, 13, 15–17, and 20 under 35 U.S.C. § 103 as unpatentable over Loveland (US 7,076,797 B2, issued Jul. 11, 2006;) and Loevenguth (US 2011/0251906 A1, published Oct. 13, 2011). Final Act. 3–7.

The Examiner rejected claims 4, 5, 11, and 12 under 35 U.S.C. § 103 as unpatentable over Loveland, Loevenguth, and Zhang (US 9,244,976 B1, issued Jan. 26, 2016). Final Act. 7.

The Examiner rejected claims 7 and 14 under 35 U.S.C. § 103 as unpatentable over Loveland, Loevenguth, and Roy-Chowdhury (US 2006/0230062 A1, published Oct. 12, 2006). Final Act. 8.

ANALYSIS

THE § 103 REJECTION BASED ON LOVELAND AND LOEVENGUTH

Claims 1–3, 6, 8–10, 13, 15–17, and 20

Based on the record before us, we are persuaded that the Examiner erred in finding that claims 1–3, 6, 8–10, 13, 15–17, and 20 are unpatentable over Loveland and Loevenguth.

Appellant argues that the cited combination fails to teach or suggest the recited generating and applying limitations of claim 1. Appellant argues, for example, that Loveland's collected authentication information, i.e. the authentication bundle, is not configuration data applied to the proxy so that the proxy thereafter provides authentication and authorization functions on behalf of the web application. Appeal Br. 9–10. According to Appellant, Loveland's authentication bundle is for a particular user session, which is distinct from the claimed configuration data applied to the proxy so that the proxy thereafter provides authentication and authorization functions on behalf of the web application. *Id.* Appellant additionally argues that the Examiner's interpretation excises web application out of the claim. Reply Br. 2.

We agree with Appellant. Loveland collects information, such as the type of device used for the authentication attempt, such as telephone, computer, mobile phone, etc. The collected information is synthesized into an authentication bundle that may be used by a security module to authenticate the user for a particular user session. *See* Loveland, col. 2, ll. 30–52 and col. 12, l. 65– col. 13, l. 3. On the other hand, the claimed invention recites identifying *web application* characteristics, generating a set of configuration data to configure the *web application* to the proxy, and applying the configuration data to the proxy to thereby on-board the *web application* so that the proxy thereafter provides authentication and authorization functions *on behalf of the web application*. While Loveland's user access rights may arguably be integrated into the security module to provide access to network resources for that user session, it is unclear, based on the record before us, how the Examiner interprets Loveland's user access rights to be equivalent to the recited web application. *See, e.g.*, Ans. 3 (discussing the interpretation of on-boarding, but failing to consider the web application limitations). In order for us to sustain the Examiner's rejection, we would need to resort to impermissible speculation or unfounded assumptions or rationales to supply deficiencies in the factual bases of the rejection before us. *In re Warner*, 379 F.2d 1011, 1017 (CCPA 1967).

Accordingly, we reverse the rejection of claims 1–3, 6, 8–10, 13, 15–17, and 20 as unpatentable over Loveland and Lovenguth.

THE REMAINING § 103 REJECTIONS

Claims 4, 5, 7, 11, 12, and 14

As discussed above, based on the record before us, we are persuaded that the Examiner fails to sufficiently show that Loveland and Lovenguth combined teach or suggest the limitations of independent claims 1, 8, and 15. The additionally cited prior art references fail to cure the deficiencies of Loveland and Lovenguth. As such, we similarly reverse the rejections of dependent claims 4, 5, 7, 11, 12, and 14 as unpatentable.

DECISION

We reverse the Examiner's decision to reject claims 1–17 and 20.

REVERSED