



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.
13/827,917	03/14/2013	Dharma Shukla	338545.01	7740
69316	7590	06/22/2020	EXAMINER	
MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052			HUYNH, TINA	
			ART UNIT	PAPER NUMBER
			2199	
			NOTIFICATION DATE	DELIVERY MODE
			06/22/2020	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):

chriochs@microsoft.com
usdoCKET@microsoft.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte DHARMA SHUKLA, MADHAN GAJENDRAN, and
QUETZALCOATL BRADLEY

Appeal 2019-000523
Application 13/827,917
Technology Center 2100

Before MAHSHID D. SAADAT, CARL L. SILVERMAN, and
MICHAEL J. ENGLE, *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, 2, 4–6, 9, 10, 13–19, 21, and 22.³ We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

¹ An oral hearing was held for this appeal on May 14, 2020.

² 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 Microsoft Technology Licensing, Ltd. Appeal Br. 3.

³ Claims 3 and 20 have been canceled and claims 7, 8, 11, and 12 have been indicated as containing allowable subject matter.

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 of accessing objects in a document store on behalf of an application, the method involving a device having a processor and comprising:

on condition of receiving a document including a representation of at least one object in a language format, storing the document in the document store including the representation of the at least one object in the language format;

on condition of receiving a request from the application to create an object, creating, in the document store, a document including the representation of the object in the language format; and

fulfilling respective requests from the application to access the object by applying the respective requests to the representation of the object in the language format in the document, by:

on condition of receiving a request from the application to read the object:

retrieving, from the document, the representation of the object, and providing the representation of the object to the application while maintaining the language format of the representation of the object; and

on condition of receiving a request from the application to apply an operation to the object, applying the operation to the representation of the

object while maintaining the language format of the representation of the object in the document stored in the document store.

Appeal Br. 33 (CLAIMS APPENDIX).

The Examiner's Rejections

Claims 1, 2, 4, 9, 10, 19, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shukla (US 2009/0240698 A1; pub. Sept. 24, 2009) and Salvatore (US 2011/0282911 A1; pub. Nov. 17, 2011). Final Act. 5–14.

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shukla, Salvatore, and Chang (US 2012/0036516 A1; pub. Feb. 9, 2012). Final Act. 14–15.

Claims 13, 14, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shukla, Salvatore, and Flynn (US 2008/0140724 A1; pub. June 12, 2008). Final Act. 15–18.

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shukla, Salvatore, and Austin (US 2010/0293529 A1; pub. Nov. 18, 2010). Final Act. 18–20.

Claims 15–17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shukla, Salvatore, Flynn, and Sivasubramanian (US 2012/0330954 A1; pub. Dec. 27, 2012). Final Act. 20–22.

ANALYSIS

Appellant contends the Examiner erred in rejecting claim 1 because the combination of cited references, and Shukla specifically, fails to teach or suggest performing the recited process “while maintaining the language

format,” as recited in the independent claims. Appeal Br. 28. According to Appellant, the cited portion of Shukla in paragraph 37 includes no discussion of selecting a particular format of the object and, in fact, “emphasizes the fungibility and interchangeability of various formats through format translation.” Appeal Br. 29 (emphasis omitted).

The Examiner responds by explaining the interpretation of “maintaining the language format” as follows:

Examiner interprets documents are represented throughout its lifecycle in persistent format (single language format), i.e. throughout the actions applied to the document such that creating a document in storage, writing an existing document to storage, retrieving the document from storage for use by the application and applying operations to the object, such as modifying the content of the object. The object is maintained in the same language format.

Ans. 3–4. The Examiner further finds Shukla “provides an approach for organizing and representing the objects of the computer system according to an object hierarchy and represented according to a common grammar.” Ans. 4 (citing Shukla ¶¶ 17, 18). Furthermore, the Examiner explains:

Alternatively, “maintaining the language format” could mean that a back-up copy of the document format is stored before any modifications are done. The point the examiner would like to make is that the BRI (Broadest Reasonable Interpretation) of “maintaining the language format” is not limited to performing no translations of the objects in the schema as alleged by the Applicant.

Id.

Claim Construction

As an initial matter of claim construction regarding the broadest reasonable interpretation of the claim 1 term “maintaining the language

format,” we turn to the Specification for *context*.⁴ We find an exemplary description as follows:

Because objects 108 formatted in the language format 112 are directly accessible to the application 104 through the application language 110, the serialization 116 and deserialization 124 of the objects 108 are considerably reduced, and in some cases eliminated. For example, when the application 104 receives a JSON-formatted object 108 from a remote device 212, the device 102 may directly store 214 the JSON-formatted object 108 as a document 204 within the document store 202 with little or no serialization 116 or other conversion. *The object 108 is therefore stored in the document store 202, and exposed to the application 104, in the initially provided format.* In addition to reducing the loss of information from conversion and the inefficiency of extensive serialization 116 into and out of a storage format 120, these techniques enable a continuous persistence of the objects 108 in the absence of store requests 114 initiated by the application 104.

Spec. ¶ 26 (emphasis added).

Given this supporting description above, we conclude that a broad but reasonable interpretation of the claim 1 term “maintaining the language format” requires “maintaining or persisting the language format in which the document was created or received throughout the set of operations comprising the lifecycle of a document.” *See* Reply Br. 7.

Discussion

We have considered the Examiner’s findings (*see* Final Act. 5–22; *see also* Ans. 3–6), in light of Appellant’s arguments and any evidence presented. Based upon our review, and for the reasons discussed below,

⁴ We give the contested claim limitations the broadest reasonable interpretation (“BRI”) consistent with the Specification. *See In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997).

Appellant's arguments and the presented evidence persuade us the Examiner erred with respect to the claim rejections under pre-AIA 35 U.S.C. § 103(a).

In particular, we agree with Appellant that Shukla discloses processing a request to receive objects by translating the object "into whichever format the application has requested." Appeal Br. 29 (citing Shukla ¶ 37). Shukla discloses "the object representing service 72 may request and receive from the object hierarchy a basic representation of the objects, and may then *reformat the representation of the object according to the specified data interchange format before delivering the result* to the requesting process." See Shukla ¶ 37 (emphasis added). Shukla further discloses a device employs different formats for data exchange based on the device capabilities. See Shukla ¶¶ 17, 18. We are also persuaded by Appellant's argument that Shukla's discussion of organizing and representing objects according to an object hierarchy and a common grammar "does not refer to the format of an object – which may be XML, JSON, RSS, Atom, etc. – but merely to the fact that each object of the computing environment, irrespective of its type, is included in the object hierarchy." See Reply Br. 8–9 (emphasis omitted). In light of the claim construction above and the highlighted disclosure in Shukla, we agree with Appellant that Shukla fails to disclose the disputed limitation. Although Salvatore teaches storing a document that includes storing the object representation (see Salvatore Fig. 3, ¶ 30), the Examiner has failed to establish that Salvatore, or any of the other prior art references, cures Shukla's deficiencies because the Examiner has not shown that Salvatore teaches or suggests maintaining the format of the objects in response to a request through the operation.

Accordingly, we do not sustain the Examiner's rejection of claims 1, 19, and 21 for obviousness under 35 U.S.C. § 103(a). We also do not sustain the Examiner's rejection of dependent claims 2, 4-6, 9, 10, 13-18, and 22, which depend from one of claims 1 and 21.

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1, 2, 4, 9, 10, 19, 21	103	Shukla, Salvatore		1, 2, 4, 9, 10, 19, 21
22	103	Shukla, Salvatore, Chang		22
13, 14, 18	103	Shukla, Salvatore, Flynn		13, 14, 18
5, 6	103	Shukla, Salvatore, Austin		5, 6
15-17	103	Shukla, Salvatore, Flynn, Sivasubramanian		15-17
Overall Outcome				1, 2, 4-6, 9, 10, 13-19, 21, 22

REVERSED