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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte DAMIEN ANTIPA, GILLES KNOBLOCH, and ARTUR
KUDLACZ

Appeal 2019-000931
Application 14/107,153
Technology Center 2100

BEFORE ERIC B. CHEN, MIRIAM L. QUINN, and
JOSEPH P. LENTIVECH, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Pursuant to 35 U.S.C. § 134(a), Appellant¹ appeals from the Examiner's decision to reject claims 1, 3, 5–8, 12–15, and 17–23, which constitute all the claims pending in this application. *See* Final Act. 1. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

¹ 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 Adobe Systems Incorporated. Appeal Br. 3.

CLAIMED SUBJECT MATTER

The claims are directed to manipulating a web page without interfering with the web page's layout. Spec. ¶ 12. Claims 1, 8, and 13 are independent claims, and all other pending claims depend directly or indirectly from one of claims 1, 8, and 13. Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A method of providing an editable version of a first web page, comprising:

forming a second web page and loading a representative structure of the first web page within an inline frame of the second web page, the first web page having at least one component, each of the at least one component being loaded in the inline frame;

inserting a configuration node for each of the at least one component into the representative structure, wherein each configuration node is associated with a data attribute that represents a configuration of its corresponding component;

adding to an outer frame of the second web page, for each of the at least one component loaded in the inline frame, a corresponding configuration object;

adding to each configuration object in the outer frame a reference to a corresponding one of the configuration nodes in the inner frame;

providing on the outer frame, for each added configuration object, a component element with identical dimensions as, and placed over, its corresponding component loaded in the inline frame, each component element configured to prevent direct interaction with its corresponding component in the inline frame;

responsive to a user interaction with one of the component elements in the outer frame to perform a modification to a corresponding one of the at least one

component of the first web page, performing the modification to the first web page; and

responsive to performing the modification to the first web page, utilizing the reference in the configuration object in the outer frame to modify the corresponding one of the configuration nodes in the inner frame.

Appeal Br. 27–28 (Claims Appendix).

REFERENCES

The prior art relied upon by the Examiner is:

Name	Reference	Date
Zetlen	US 8,522,134 B1	Aug. 27, 2013
Matti	US 2005/0216856 A1	Sept. 29, 2005
Arokiaswamy	US 2006/0212803 A1	Sept. 21, 2006
Hicks	US 2009/0055755 A1	Feb. 26, 2009

Non-Patent Literature relied upon consists of the following:

- *Granite Reference*, Adobe.com, accessed from the Internet Archive, Wayback Machine (web.archive.org); search for <http://docs.adobe.com/docs/en/cq/5-6-1/touch-ui/granite-reference.html>, Sept. 14, 2015 (hereinafter “Adobe”).

- *DialogPreference*, Android Developers, accessed from the Internet Archive, Wayback Machine (web.archive.org); search developer.android.com/reference/android/preference/DialogPreference.html, and select Jan. 4, 2012 (hereinafter “Android”).

REJECTIONS

Claims 1, 3, 7, 13–15, 19, and 20 stand rejected under 35 U.S.C. § 103 as being unpatentable over Zetlen, Matti, and Hicks (Final Act. 3–18);

Claims 8 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zetlen and Matti (*id.* at 18–23);

Claims 5 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zetlen, Matti, Hicks, and Adobe (*id.* at 23–24);

Claims 6 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zetlen, Matti, Hicks, and Android (*id.* at 25–26); and

Claims 21–23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zetlen, Matti, Hicks, and Arokiaswamy (*id.* at 26–30).

OPINION

This appeal presents one dispositive issue: whether the Examiner erred in determining that Zetlen teaches “inserting a configuration node for each of the at least one components into the representative structure” of the first web page, which is loaded “within an inline frame of the second web page,” as recited in claim 1, and similarly recited in claim 8 (“corresponding configuration node created in the inline frame”) and claim 13 (“insert a configuration node for each component in the representative structure of the inline frame”).

Having reviewed the Examiner’s rejections in light of Appellant’s arguments, as presented in the Appeal Brief and Reply Brief, we are persuaded that the Examiner has erred as Appellant alleges.

The claim language requires that the configuration node is inserted into the representative structure of a first web page. That representative structure is loaded in an inline frame of the second web page. The claims and the Specification describe the configuration node as having associated data attributes that represent the configuration of each component of the first

web page represented in the inline frame. *See* Claim 1 (“each configuration node is associated with a data attribute that represents a configuration of its corresponding component”); Spec. ¶ 35 (“the creation of the corresponding component objects utilizes the information about configuration of the corresponding components in the attached data attributes of the configuration nodes in the inline frame”). The role of the recited configuration nodes in the inline frame is evident when a user modifies a component of the first web page. In that situation, claim 1 recites “utilizing the reference in the configuration object in the outer frame to modify the corresponding one of the configuration nodes in the inner frame.” Thus there is no doubt that the claim requires the configuration node to be located in the inline frame that has loaded therein the representative structure of the first web page.

The Examiner points to “structural tags” of Zetlen as the recited configuration node. Final Act. 4 (stating “where the structural tags modified with attribute data are configuration nodes”). The Examiner asserts that it is “well know[n] that HTML tags and attributes are nodes in the HTML [Document Object Model] representative structure.” *Id.* The Examiner further states that, in the cited portion, Zetlen teaches inserting attributes into structural tags which configures elements for editing. Ans. 34. We look for the Examiner’s identification of Zetlen’s web page document that is alleged to include the structural tags and corresponding attribute data. The Examiner attempts such an explanation with this sentence: “Also because the configured document in the inline frame would also have a DOM tree associated with it[,] there would also be nodes associated with the inline frame.” *Id.* We take the Examiner’s reference to the “configured document

in the inline frame” as identifying rendered electronic web page 128 of Zetlen, as the web page in which the structural tags and attribute data would be found. We find that Zetlen does not teach that the rendered electronic web page includes the structural tags and attribute data.

Zetlen discloses, at column 6, lines 24–30 that “[i]n some embodiments, the hosting module may insert into structural tags of the web page document attribute data, as described herein.” Appellant argues that the “web page document” that Zetlen modifies with attribute data into structural tags is not the first web page loaded in the inline frame. Appeal Br. 11 (arguing that “Zetlen’s discussion of ‘insert[ing attribute data] into structural tags of the electronic commerce web page document’ should be understood to refer to manipulations made to structural tags of the original stored web page” and citing Zetlen, 12:56–60 (emphases omitted)). We agree with Appellant that Zetlen’s attribute data is inserted in structural tags of a web page that is not loaded in the inline frame as required. The structural tags Zetlen modifies with attribute data are those of the stored web page. And Zetlen confirms this by referring to two different web page documents: a stored electronic commerce web page document and a rendering of the stored web page document. *See* Zetlen, 22:59–61 (“presenting to an administrator a rendering of a stored electronic commerce web page in a what-you-see-is-what-you-get editing environment”); 23:7–9 (“the presenting further comprises inserting into structural tags of the stored electronic commerce web page document attribute data”).

Zetlen “adjusts” the web page content for editability using structural tags. *Id.* at 16:6–7. But this content is in the *stored web page document*, not the web page loaded in the inline frame of the “what-you-see-is-what-you-

get editing environment,” because the stored web page document contains the attribute data that the editing environment needs to perform the desired modifications. *Id.* at 23:10–15 (“the attribute data identifies editing functions available from the what-you-see-is-what-you-get editing environment for elements of editable content of the stored electronic commerce web page document”); 23:35–38 (“executing code for performance on the stored electronic commerce web page document of an editing function associated with the respective element of editable content by the attribute data”). Thus, unlike the recited configuration node, the structural tags and associated data exist in a web page document that is not loaded in the inline frame. Therefore, Zetlen’s structural tags do not teach the recited configuration node.

Accordingly, we determine that the Examiner erred in finding that Zetlen teaches the configuration nodes as recited in claims 1, 8, and 13.

CONCLUSION

We find that the Examiner erred in rejecting independent claims 1, 8, and 13. Because of their dependence, we do not sustain the rejection of the remaining pending claims: 3, 5–7, 12, 14, 15, and 17–23.

DECISION SUMMARY

Claims Rejected	35 U.S.C. §	Basis	Affirmed	Reversed
1, 3, 7, 13–15, 19, 20	103(a)	Zetlen, Matti, Hicks		1, 3, 7, 13–15, 19, 20
8, 12	103(a)	Zetlen, Matti		8, 12
5, 17	103(a)	Zetlen, Matti, Hicks, Adobe		5, 17
6, 18	103(a)	Zetlen, Matti, Hicks, Android		6, 18
21–23	103(a)	Zetlen, Matti, Hick, Arokiaswamy		21–23
Overall Outcome:				1, 3, 5–8, 12–15, 17–23

REVERSED