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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* GAVIN ANDREW ROSS UHMA and JEVON MACDONALD

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Appeal 2019-002648  
Application 14/513,109  
Technology Center 2100

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Before LARRY J. HUME, MATTHEW J. McNEILL, and  
JASON M. REPKO, *Administrative Patent Judges*.

REPKO, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Under 35 U.S.C. § 134(a), Appellant<sup>1</sup> appeals from the Examiner's decision to reject claims 1–10 and 27–46. Claims 11–26 are canceled. We have jurisdiction under 35 U.S.C. § 6(b). We affirm.

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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(a). According to Appellant, the real party in interest is “salesforce.com, inc., The Landmark@ One Market, suite 300, San Francisco, California 94105.” Appeal Br. 1.

### CLAIMED SUBJECT MATTER

Appellant's invention simultaneously displays multiple cursors in a shared web-browsing session. Spec. ¶ 3.

Claims 1, 27, and 37 are independent. Claim 1 is reproduced below.

1. A method comprising:

creating a shared browsing session at a shared session server computing device ("session server");

initiating, by the session server, the shared browsing session between a first shared session client computing device ("first shared client") and a second shared session client computing device ("second shared client"), wherein the first and second shared clients are communicatively interfaced with the shared session server via a network;

downloading, by the session server, a webpage for display to each of the first and second shared clients within the shared browsing session;

adding, by the session server, collaboration features to a source code of the webpage downloaded by the session server prior to displaying the webpage to either of the first and second shared clients;

displaying the webpage to the first and second shared clients using one or more display devices;

receiving, by the session server, first input/output (I/O) coordinates relating to a first I/O device from the first shared client pursuant to a first user of the first I/O device within a context of the shared browsing session accessible from the first shared client;

receiving, by the session server, second I/O coordinates relating to a second I/O device from the second shared client pursuant to a second user of the second I/O device within the context of the shared browsing session accessible from the second shared client;

in response to the first and second I/O coordinates, simultaneously displaying, by the session server, a first I/O device image and a second I/O device image to each of the first shared client and the second shared client corresponding to the first I/O coordinates and the second I/O coordinates of the first I/O device and the second I/O device, respectively;

applying, by the session server, a change to the webpage displayed to the first shared client and the second shared client, wherein the change to the webpage includes at least an interaction by one of the first shared client and the second shared client with the collaboration features added to the source code of the web content displayed to the first shared client and the second shared client; and

wherein applying the change to the webpage displayed to the first shared client and the second shared client comprises displaying real-time movements of the first I/O device image at each of the first shared client and the second shared client in accordance with the first I/O coordinates received from the first shared client and displaying real-time movement of the second I/O device image at each of the first shared client and the second shared client in accordance with the second I/O coordinates received from the second shared client.

Appeal Br. 31–32.<sup>2</sup>

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<sup>2</sup> Throughout this opinion, we refer to the Final Office Action (“Final”), mailed July 28, 2017; the Appeal Brief (“Appeal Br.”), filed July 29, 2018; the Examiner’s Answer (“Ans.”), mailed December 14, 2018; and Reply Brief (“Reply Br.”), filed February 14, 2019.

## REFERENCES

The Examiner relies on the references in the table below.

Name	Reference	Date
Graham	US 6,871,213 B1	Mar. 22, 2005
Lemonik	US 2012/0110443 A1	May 3, 2012

## REJECTIONS

The Examiner rejects claims 1–10 and 27–46<sup>3</sup> under 35 U.S.C. § 112, second paragraph, as indefinite. Final 3–4.

The Examiner rejects claims 1–10 and 27–46 under 35 U.S.C. § 103 as unpatentable over Graham and Lemonik. Final 4–18.

## OPINION

### *The Indefiniteness Rejection*

The Examiner determines that claims 1, 27, and 37 are indefinite because the claims lack the proper antecedent basis for “the web content.” Final 3. Appellant agrees and does not contest the rejection. Appeal Br. 13. Thus, we summarily sustain the Examiner’s indefiniteness rejection. *See Ex parte Frye*, 94 USPQ2d 1072, 1075–76 (BPAI 2010) (precedential) (explaining that if Appellant fails “to present arguments on a particular issue—or, more broadly, on a particular rejection—the Board will not, as a general matter, unilaterally review those uncontested aspects of the rejection”); *see also* MPEP § 1205.02 (9th ed. Rev. 08.2017, Jan. 2018) (“If a ground of rejection stated by the examiner is not addressed in the

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<sup>3</sup> The Examiner’s rationale only discusses the independent claims. Final 3. Claims 2–10, 28–36, and 38–46 incorporate the purported indefinite limitation by reference because they are dependent claims. Thus, we understand the Examiner to reject these claims under the same rationale.

appellant’s brief, appellant has waived any challenge to that ground of rejection and the Board may summarily sustain it.”).

*The Obviousness Rejection*

The Examiner finds that Graham teaches all limitations of representative<sup>4</sup> claim 1 except for certain limitations related to the I/O coordinates. Final 4–11. For these features, the Examiner turns to Lemonik. *Id.* at 7–8. In particular, the Examiner concludes that it would have been obvious to incorporate Lemonik’s teachings about collaborative cursors to improve Graham. *Id.* at 10–11 (citing Lemonik ¶ 4).

*Appellant’s Arguments*

Appellant argues that Graham does not teach or suggest a session server that adds the recited collaboration features to a webpage’s source code before displaying the webpage to the clients. Appeal Br. 14–23; Reply Br. 4–8. In particular, Appellant argues that Graham creates parts of the webpages on the client side. *See, e.g.*, Appeal Br. 20–21; Reply Br. 7–8.

Appellant argues that Graham does not display real-time movements of the first I/O device image. Appeal Br. 24–26. In Appellant’s view, Graham only causes a second browser to scroll to a particular location identified in a first browser. *Id.* at 25 (citing Graham 12:28–48).

Appellant argues that the Examiner improperly applies the broadest reasonable interpretation to the cited reference instead of the claims. *Id.* at 26–27.

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<sup>4</sup> Appellant argues the claims 1–10 and 27–46 as a group. *See* Appeal Br. 30. We select claim 1 as representative of this group. *See* 37 C.F.R. § 41.37(c)(1)(iv).

Lastly, Appellant argues that the rejection improperly dissects Appellant's claim into its constituent parts. *Id.* at 27–29.

*Analysis*

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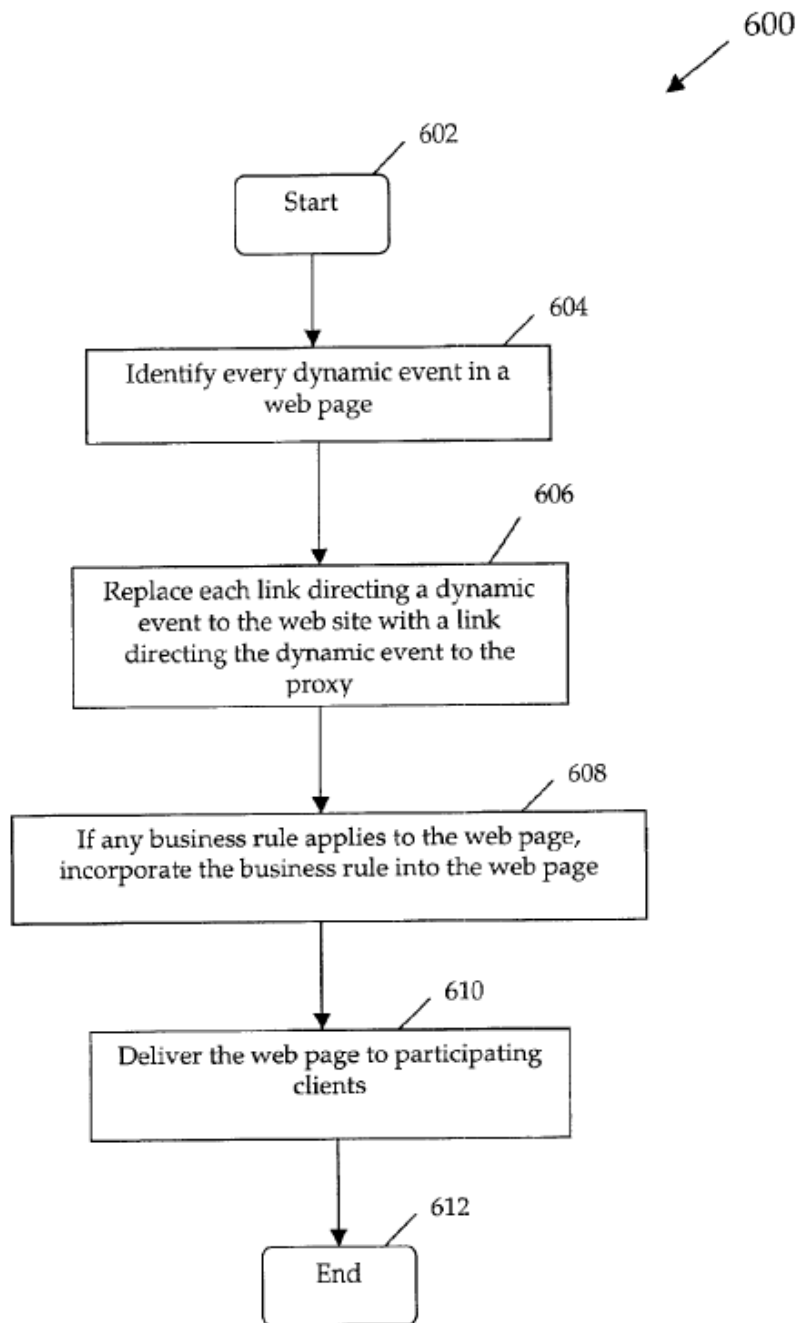
Claim 1 recites, in part,

adding, by the session server, collaboration features to a source code of the webpage downloaded by the session server prior to displaying the webpage to either of the first and second shared clients;

Appeal Br. 31–32. We are unpersuaded by Appellant's arguments that the Examiner erred in finding that Graham teaches this limitation. *See id.* at 14–23; Reply Br. 4–8.

Graham generally relates to creating a shared session between clients and enabling “co-navigation” of webpages. Graham, Abstract. Before Graham's system presents the webpage to the clients, the webpage goes through a parsing-and-lexing process. *Id.* at 10:53–54.

Graham's Figure 6, below, is a flow diagram of that process. *Id.* at 10:54–58.



The process, above, identifies every dynamic event in a webpage (block 604) and modifies the webpage by replacing each link directing a dynamic event to the original website with a link directing the event to a proxy (block 606). *Id.* at 10:63–65. Co-navigation service 315 performs this parsing-and-lexing process. *Id.* at 10:59–62. “Co-navigation service 315



includes one or more routing servers 320, one or more application servers 330 and one or more database servers 340.” *Id.* at 7:10–12.

The Examiner finds that Graham’s co-navigation service 315 corresponds to the recited session server. Final 4. Appellant argues that, in making this finding, the Examiner improperly applies the broadest reasonable interpretation to Graham. Appeal Br. 26–27. We see no evidence that the Examiner’s findings are broader “than that which is actually disclosed by the reference.” *Id.* at 27. On the contrary, the Examiner’s findings about Graham’s co-navigation service 315 (Final 6) are adequately supported by the record.

Like the session server, Graham’s co-navigation service 315 adds “collaboration features to a source code of the webpage.” *Id.* at 5. In particular, co-navigation service 315 replaces each link directing a dynamic event to the website with a link directing this dynamic event to the co-navigation service. Graham 11:18–20. These links are collaboration features. *Id.* at 11:25–29. For example, a customer triggers a dynamic event by clicking on a link during the shared session. *Id.* The co-navigation service then enables the resulting web content to be displayed to all participating clients. *Id.* In this way, the links allow the participants to collaborate. *See id.*

Also like the recited session server, Graham’s co-navigation service 315 adds the links before the clients display the webpage. In fact, Figure 6 shows that co-navigation service 315 replaces the links (step 606) before delivering the webpage to participating clients (step 610). *Id.* Fig. 6.

To be sure, Graham teaches that various functions within the webpage’s code “enable creation of web page portions on the client side without accessing the web site being co-navigated.” *Id.* at 11:1–3. But claim

1 does not exclude clients from creating parts of a webpage. Rather, claim 1 uses the transitional term “comprising,” which indicates that additional unrecited elements are not excluded from the claim.

Appellant argues,

A symptom of examination by dissection is plainly evident by the fact that the present Office Action requires Graham’s mechanism modify a webpage at the shared session server in direct contradiction to Graham’s requirement that that such modifications are enabled via the “. . . creation of a new web page on the client side by accessing the web site being co-navigated,” and not at the co-navigation server.

Appeal Br. 28 (emphasis omitted). We, however, see little evidence showing a contradiction here. Graham’s server modifies the webpage to direct the dynamic events to the co-navigation service. Graham 11:18–20. Because both Graham and the recited server add collaboration features to the webpage, as discussed above, the rejection is consistent with Graham’s teachings. *See* Final 4.

Thus, we are unpersuaded that the Examiner erred in finding that Graham teaches “adding, by the session server, collaboration features to a source code of the webpage downloaded by the session server prior to displaying the webpage to either of the first and second shared clients.”

## II

Appellant further argues that Graham lacks the recited feature of displaying real-time movements of the I/O device images. Appeal Br. 24–26.

The Examiner, though, relies on Lemonik—not Graham alone—to teach this feature. Final 10 (citing Lemonik, Fig. 1, ¶ 21); Ans. 7. In Lemonik, multiple users collaboratively edit a single document.

Lemonik ¶ 21. The Examiner finds that Lemonik’s system 100 coordinates

cursor locations for collaborative document editing. Final 10. In one example, Lemonik simultaneously displays cursor positions for three users. Lemonik ¶ 24. Apart from stating that Lemonik does not cure Graham’s deficiency, Appellant does not rebut the Examiner’s findings about Lemonik, which are adequately supported by the record here. *See* Appeal Br. 14–29. For this reason, we are unpersuaded that the Examiner erred in finding that Lemonik teaches displaying real-time movements of the first and second I/O device images.

Thus, we sustain the rejection of representative claim 1 and claims 2–10 and 27–46, which are argued as a group. *Supra* n.4.

#### CONCLUSION

We affirm the Examiner’s decision to reject claims 1–10 and 27–46.

#### DECISION SUMMARY

<b>Claims Rejected</b>	<b>35 U.S.C. §</b>	<b>Reference(s)/Basis</b>	<b>Affirmed</b>	<b>Reversed</b>
1–10, 27–46	112(b)	Indefiniteness	1–10, 27–46	
1–10, 27–46	103	Graham, Lemonik	1–10, 27–46	
<b>Overall Outcome</b>			1–10, 27–46	

Appeal 2019-002648  
Application 14/513,109

TIME PERIOD FOR RESPONSE

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv). *See* 37 C.F.R. § 41.50(f).

AFFIRMED