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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte PAUL ROE and ARNOLD BLINN¹

Appeal 2019-003121
Application 14/037,029
Technology Center 2100

Before RICHARD M. LEBOVITZ, JASON V. MORGAN,
and JOHN A. EVANS, *Administrative Patent Judges*.

EVANS, *Administrative Patent Judge*.

DECISION ON APPEAL
STATEMENT OF THE CASE

This is a decision on appeal under 35 U.S.C. § 134(a) from the Examiner’s Final Rejection of Claims 1–21. Appeal Br. 14–24 (Claims App’x.). We have jurisdiction over the pending claims under 35 U.S.C. § 6(b).

We AFFIRM.

¹ We use the word “Appellant” to refer to “applicants” as defined in 37 C.F.R. § 1.42(a). The Appeal Brief identifies Go Daddy Operating Company, LLC, as the real party in interest. Appeal Br. 1.

Invention

The invention is directed to a method for wireless charge transfer. *See* Abstract. Claims 1, 9, 16, and 21 are independent. Illustrative Claim 1 is reproduced below.

1. A method, comprising:

A) storing in an electronic database a plurality of universal keywords and a first plurality of related keywords, wherein each universal keyword in the plurality of universal keywords is associated with at least one related keyword in the first plurality of related keywords;

B) analyzing a website, designed by a website builder, having a text;

C) finding a first universal keyword in the text of the website;

D) determining a second plurality of related keywords in the first plurality of keywords in the electronic database associated with the first universal keyword;

E) excluding one or more related keywords, in the second plurality of related keywords, already incorporated into the website to determine a first related keyword;

F) displaying on an electronic device the first related keyword that was not already incorporated into the website to the website builder, wherein the website builder comprises a webmaster of the website;

G) accepting from the website builder a response to the first related keyword; and

H) upon accepting a positive response from the website builder for the first related keyword, adding the first related keyword to the code of the website.

Appeal Br. 14 (Claims App.).

References²

Name³	Reference	Date
Petty	US 2009/0234727 A1	Sept. 17, 2009
Kim	US 2009/0292677 A1	Nov. 26, 2009
Fatourechi	US 2014/0201180 A1	July 17, 2014

Rejections⁴ at Issue⁵

1. Claims 1–15 stand rejected under 35 U.S.C. § 103 over Fatourechi and Kim. Final Act. 6–15.
2. Claims 16–21 stand rejected under 35 U.S.C. § 103 over Fatourechi, Kim, and Petty. Final Act. 15–26.

ANALYSIS

We agree with and adopt as our own the Examiner’s findings as set forth in the Answer and in the Action from which this appeal was taken, and we concur with the Examiner’s conclusions. We have considered Appellant’s arguments, but do not find them persuasive of error. We provide the following explanation for emphasis.

² Throughout this Decision, we refer to the Appeal Brief (“Appeal Br.”) filed September 20, 2018, the Reply Brief (“Reply Br.”) filed March 12, 2019, the Final Office Action (“Final Act.”) mailed April 2, 2018, the Examiner’s Answer mailed January 18, 2019, and the Specification (“Spec.”) filed September 25, 2013.

³ All citations herein to the references are by reference to the first named inventor only.

⁴ The present application is being examined under the first inventor to file provisions of the AIA. Final Act. 2.

⁵ The Examiner has withdrawn the rejection of Claims 1–21 under 35 U.S.C. § 101. Ans. 3.

CLAIMS 1–15: OBVIOUSNESS OVER FATOURECHI AND KIM.

Limitation “E”

Claim 1 recites, *inter alia*, “excluding one or more related keywords, in the second plurality of related keywords, already incorporated into the website to determine a first related keyword,” i.e., “Limitation E”.

The Examiner finds Fatourechhi essentially teaches the limitations of Claim 1, except Fatourechhi fails to teach “keyword de-duplication.” The Examiner finds Kim teaches “keyword de-duplication.” Final Act. 8 (citing Kim ¶¶ 234, 313). The Examiner finds Kim teaches Keyword de-duplication in the context of search engine optimization for a website. *Id.* (citing Kim ¶¶ 161, 208, 234, 313–17, 284, 389–91, and 426).

Appellant contends the keywords disclosed by Kim are keywords used by the searcher, but not the keywords that have already been incorporated into the website. Appeal Br. 11. Appellant argues Kim discloses a keyword data stream, i.e., “the keyword used by the searcher may be automatically transmitted in real-time to server facilities for subsequent data processing.” *Id.* (quoting Kim ¶ 41). Appellant contends the Examiner confuses keywords from search engine searches (as taught by Kim) with keywords already incorporated into a website, as claimed. Appeal Br. 12 (citing Kim ¶¶ 387–91). Appellant argues Kim teaches removing duplicate keywords in a keyword group, but Kim’s keyword groups are not “already incorporated into a website,” as claimed. *Id.*

The Examiner finds:

Kim analyzes a new keyword and determines whether it should be added to an existing keyword group (see [0195], keyword exploration facility may add “new keyword” to an “existing keyword groups,” [0300], “new keywords may be processed

and analyzed every day, and as part of the processing, server facility 102 may attempt to organize newly discovered keywords into their most relevant existing Keyword Groups”). The analysis includes keyword de-duplication so that any new keywords that are duplicates to any “existing keyword groups” will not be added to the updated keyword group (see [0208], [0313] – [0316], “Keyword Duplication Elimination”). When Kim updates a keyword group with at least one new keyword, the editor and web publishing tools will update the existing published web pages to include the SEO web pages that are newly optimized. (see [0051] – [0052], [0210])

Ans. 5–6.

Appellant contends “Kim teaches removing keywords that are duplicated within **a keyword group**, but does not teach excluding keywords that are already incorporated into **a website** as stated in limitations 1 E), 9 F), 16 E) and 21 F).” Reply Br. 3. Appellant argues “if a particular word was in a keyword group and that same particular word was also already incorporated into a website, Kim does not teach removing a keyword from the keyword group that is already incorporated into a website.” *Id.*

Kim discloses: ““Search Engine Marketing (SEM) is a practice of attracting a target audience to a web site . . . [i]t may involve identifying relevant search terms (also known as keywords), collecting them into related keyword groupings.” Kim ¶ 8. Kim further discloses: “the keyword exploration facility 112 may allow users to visualize all the available keyword data, and then visually organize keywords into keyword groups (a grouping of semantically related keywords) in a tree-like hierarchy of unlimited depth.” Kim ¶ 44.

The Examiner finds “[w]hen Kim updates a keyword group with at least one new keyword, the editor and web publishing tools will update the existing published web pages to include the SEO web pages that are newly

optimized.” Ans. 5–6 (citing Kim ¶¶ 51, 52, 210). The Examiner further finds: “The analysis includes keyword de-duplication so that any new keywords that are duplicates to any ‘existing keyword groups’ will not be added to the updated keyword group.” Ans. 5 (citing Kim ¶¶ 208, 313, 316).

We find Kim discloses:

The method may include collecting a data set of traffic-generating keywords, the traffic-generating keyword data set representing keywords used to access a web resource during different periods of time, and collecting a data set of suggested keywords 3502; associating at least one of the suggested keywords and the traffic-generating keywords into a working keyword data set.

Kim ¶ 208.

[P]roviding a set of workflow tools . . . the workflow tools facilitating at least one of . . . tools for suggesting de-duplication of keyword groups.

Id. Thus, we find Kim discloses collecting and de-duplicating a set of traffic-generating keywords. We find Kim’s teaching of de-duplicating keyword groups that were previously incorporated into a webpage reasonably suggests that de-duplicating any keyword that appears in the website as claimed in each of independent Claims 1, 9, 16, and 21, by using the tool provided by Kim to accomplish the same purpose in reducing the number of keywords on the page.

In view of the foregoing, we sustain the rejection of independent Claims 1, 9, and Claims 2–8 and 10–15, dependent therefrom.

CLAIMS 16–21: OBVIOUSNESS OVER FATOURECHI, KIM, AND PETTY.

No separate arguments are presented for the dependent claims and therefore we sustain the rejection for the reasons previously stated. *In re*

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King, 801 F.2d 1324, 1325 (Fed. Cir. 1986); *In re Sernaker*, 702 F.2d 989, 991 (Fed. Cir. 1983). In view of the foregoing, we sustain the rejection of independent Claims 16, 21, and Claims 17–20, dependent therefrom.

CONCLUSION

In summary:

Claims Rejected	35 U.S.C. §	References	Affirmed	Reversed
1–15	103	Fatourech, Kim	1–15	
16–21	103	Fatourech, Kim, Petty	16–21	
Overall			1–21	

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