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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte SUSANN M. KEOHANE, GERALD F. MCBREARTY,
SHAWN P. MULLEN, JESSICA K. MURILLO,
and JOHNNY M. SHIEH

Appeal 2019-003599
Application 15/385,401
Technology Center 2100

Before ERIC B. CHEN, JEREMY J. CURCURI, and
PHILLIP A. BENNETT, *Administrative Patent Judges*.

CURCURI, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Pursuant to 35 U.S.C. § 134(a), Appellant appeals from the Examiner's decision to reject claims 1–18.¹ We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

¹ We use the word Appellant to refer to “applicant” as defined in 37 C.F.R. § 1.42(a). Appellant identifies International Business Machines Corporation as the real party in interest. Appeal Br. 1.

CLAIMED SUBJECT MATTER

The claims are directed to “administration of search results.”

Spec. ¶ 2. Claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A method for administration of search results, the method comprising:

displaying a set of search results from a search;

presenting a first user interface having a plurality of selectable exclusion modes, the plurality of selectable exclusion modes including an exclude all except mode;

receiving an indication that the exclude all except mode has been selected;

receiving an indication of a first search result of the set of search results;

responsive to selection of a user interface element of a second user interface, the user interface element indicating one or more results of the set of search results are to be excluded,

excluding all of the set of search results except the first search result and a subset of the set of search results that indicate related links, wherein the subset to except from exclusion is determined based, at least in part, on search results having a same domain name as a link of the first search result; and

displaying the first search result and the subset of the set of search results.

REFERENCES

The prior art relied upon by the Examiner is:

Name	Reference	Date
Henderson	US 2001/0051998 A1	Dec. 13, 2001
Pallmann	US 2002/0078014 A1	June 20, 2002
Walther	US 2005/0234891 A1	Oct. 20, 2005
Karls	US 7,873,622 B1	Jan. 18, 2011
V4 Integration, <i>Managing CATIA Version 4 Models, PROJECT Files and Library Objects in CATIA Version 5</i> , Dassault Systemes, 1999 (“Dassault”).		

REJECTIONS

Claims 1, 7, and 13 are rejected under pre-AIA 35 U.S.C. § 103(a) as obvious over Walther and Dassault. Final Act. 12–18.

Claims 2, 3, 8, 9, 14, and 15 are rejected under pre-AIA 35 U.S.C. § 103(a) as obvious over Walther, Dassault, and Pallmann. Final Act. 18–23.

Claims 4, 6, 10, 12, 16, and 18 are rejected under pre-AIA 35 U.S.C. § 103(a) as obvious over Walther, Dassault, and Karls. Final Act. 23–28.

Claims 5, 11, and 17 are rejected under pre-AIA 35 U.S.C. § 103(a) as obvious over Walther, Dassault, Karls, and Henderson. Final Act. 28–29.

OPINION

The Obviousness Rejection of Claims 1, 17, and 13 over Walther and Dassault

The Examiner finds Walther and Dassault teach all limitations of claim 1. Final Act. 13–18. The Examiner finds Walther teaches all limitations of claim 1 except “presenting a first user interface having a

plurality of selectable exclusion modes, the plurality of selectable exclusion modes including an exclude all except mode; receiving an indication that the exclude all except mode has been selected.” Final Act. 13–17.

In particular, the Examiner finds Walther teaches

responsive to selection of a user interface element . . . excluding all of the set of search results except the first search result and a subset of the set of search results that indicate related links, wherein the subset to except from exclusion is determined based, at least in part, on search results having a same domain name as a link of the first search result

as recited in claim 1. Final Act. 13–16 (citing Walther ¶¶ 22, 70, 146, and 148).

The Examiner finds Dassault teaches “presenting a first user interface having a plurality of selectable exclusion modes, the plurality of selectable exclusion modes including an exclude all except mode; receiving an indication that the exclude all except mode has been selected” as recited in claim 1. Final Act. 17–18. The Examiner reasons

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references because [Dassault’s teachings] would have allowed [Walther’s system] to provide a method to allow for the creation, selection, and application of multiple filters in a computer program.

Final Act. 18 (citing Dassault 16).

Appellant presents the following principal arguments:

i.

The cited passages [of Walther] describe techniques for retrieving previously stored annotations and making those previously stored annotations available with results of a web search. However, they do not teach or suggest claim 1’s

technique that enables a user to exclude from search results all but a particular web page associated with a given domain name and other web pages associated with the domain name.

Appeal Br. 10–11; *see also* Reply Br. 2–3.

ii. “The combination of Walther and Dassault impermissibly combines non-analogous art.” Appeal Br. 12. “Walther’s system for annotating web pages is not analogous to Dassault’s system for presenting images.” Appeal Br. 12.

iii. “Applicant submits one of ordinary skill in the web searching art would not combine Dassault’s image filter designed to present all image layers except a user-selected image layer with Walther’s web searching tool that enables users to annotate web pages.” Appeal Br. 12–13. “[M]odifying Walther’s web searching system with Dassault’s image filter would render Walther’s system inoperable for its purpose of presenting user-provided web page annotations.” Appeal Br. 13.

In response to Appellant’s argument (i), the Examiner explains Walther teaches “the display of only the search results with the same domain name when a user clicks on a link to view unfavorable hits when the site option was chosen when initially rating a specific search result as unfavorable.” Ans. 6, 7.

In response to Appellant’s argument (ii), the Examiner explains

in contrast to the assertions from the appellants, there is no impermissible combination. Specifically, the secondary reference of **Dassault** is directed towards providing a user interface for users to exclude displayed data. The primary reference of **Walther** also clearly provides a user interface for users to exclude displayed data. **Dassault** clearly provides the ability for users to select from multiple different exclusion modes (including an exclude all except mode) such that users can have

different options when determining data to be excluded when displayed. The combination would result in expanding **Walther** such that specific multiple different exclusion modes (including an exclude all except mode) is available to a user when that user is desiring to filter displayed data.

Ans. 8.

In response to Appellant's argument (iii), the Examiner explains the combination would result in the filtering of search results (which is already done in **Walther**) to include a specific type of filter of an exclude all except mode (from **Dassault**) as search results are simply data. There would be no inoperable rendering of **Walther** as the combination would simply expand on the different types of exclusion options available to a user to include a specific exclude all except mode.

Ans. 9.

We do not see any error in the contested Examiner's findings. We concur with the Examiner's conclusions.

Walther discloses "[u]sers are able to annotate and view their annotations for any document they encounter while interacting with [a] corpus, including hits returned in a search of the corpus. Users are also able to search their annotations *or to limit searches to documents they have annotated.*" Walther, Abstract (emphasis added).

Walther further discloses "[f]or annotations whose host flag is set to 'site,' a match (also referred to herein as a 'partial match') is detected *if the beginning portion of the hit URL matches the URL (or partial URL) stored in the annotation* (e.g., in URL field 308 in FIG. 3)." Walther ¶ 146 (emphasis added).

Walther further discloses

In some embodiments, reranking at step 1420 may also include dropping any hits that match unfavorably rated pages or sites from the list of hits to be displayed. In such embodiments, the search results page delivered to the user may include an indication of the number of hits that were dropped due to unfavorable ratings and/or a “Show all hits” button (or other control) that allows the user to see the search results displayed with the unfavorably rated hits included. *In another variation, the user can click on a link to see just the unfavorably rated hits.*

Walther ¶ 148 (emphasis added).

Thus, we agree with and adopt as our own the Examiner’s finding that Walter teaches

responsive to selection of a user interface element . . . excluding all of the set of search results except the first search result and a subset of the set of search results that indicate related links [(Walther discloses excluding all hits except unfavorably rated hits)], wherein the subset to except from exclusion is determined based, at least in part, on search results having a same domain name as a link of the first search result [(Walther discloses setting the host flag for the unfavorable annotation to “site”)]

as recited in claim 1. *See* Walther Abstract, ¶¶ 146, 148; *see also* Final Act. 13–16; Ans. 6, 7.

Accordingly, Appellant’s argument (i) does not show any error.

Further, the Examiner’s reason to combine Dassault with Walther is rational on its face and supported by evidence drawn from the record. *See* Final Act. 18 (citing Dassault 16). Appellant’s arguments (ii) and (iii) do not show any error in this reasoning because we agree with and adopt as our own the Examiner’s explanation on pages 8 and 9 of the Answer reproduced above. *See* Ans. 8, 9.

We, therefore, sustain the Examiner's rejection of claim 1. We also sustain the Examiner's rejection of claims 7 and 13, which are not separately argued with particularity.

The Obviousness Rejection of Claims 2, 3, 8, 9, 14, and 15 over Walther, Dassault, and Pallmann

Appellant argues Pallmann does not cure the alleged deficiency of Walther and Dassault, and the combination of Walther and Dassault is improper. *See* Appeal Br. 13–14.

For reasons discussed above, we determine Walther and Dassault are not deficient, and the combination is not improper.

We, therefore, sustain the Examiner's rejection of claims 2, 3, 8, 9, 14, and 15.

The Obviousness Rejection of Claims 4, 6, 10, 12, 16, and 18 over Walther, Dassault, and Karls

Appellant argues Karls does not cure the alleged deficiency of Walther and Dassault, and the combination of Walther and Dassault is improper. *See* Appeal Br. 14.

For reasons discussed above, we determine Walther and Dassault are not deficient, and the combination is not improper.

We, therefore, sustain the Examiner's rejection of claims 4, 6, 10, 12, 16, and 18.

The Obviousness Rejection of Claims 5, 11, and 17 over Walther, Dassault, Karls, and Henderson

Appellant argues Karls and Henderson do not cure the alleged deficiency of Walther and Dassault, and the combination of Walther and Dassault is improper. *See* Appeal Br. 15.

For reasons discussed above, we determine Walther and Dassault are not deficient, and the combination is not improper.

We, therefore, sustain the Examiner’s rejection of claims 5, 11, and 17.

CONCLUSION

The Examiner’s decision to reject claims 1–18 is affirmed.

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1, 7, 13	103(a)	Walther, Dassault	1, 7, 13	
2, 3, 8, 9, 14, 15	103(a)	Walther, Dassault, Pallmann	2, 3, 8, 9, 14, 15	
4, 6, 10, 12, 16, 18	103(a)	Walther, Dassault, Karls	4, 6, 10, 12, 16, 18	
5, 11, 17	103(a)	Walther, Dassault, Karls, Henderson	5, 11, 17	
Overall Outcome			1–18	

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

AFFIRMED