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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte GEORGE RINGER, JEROMY SCOTT STATIA, and DAYNE
ALLEN THOMPSON

Appeal 2019-005903
Application 15/177,817
Technology Center 2400

Before MAHSHID D. SAADAT, MARC S. HOFF, and
IRVIN E. BRANCH, *Administrative Patent Judges*.

BRANCH, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE¹

Pursuant to 35 U.S.C. § 134(a), Appellant² appeals from the Examiner’s decision to reject claims 1–20, which are all of the pending claims. *See* Final Act. 1. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

CLAIMED SUBJECT MATTER

Appellant’s disclosure is directed to “providing secure remote desktop session host experience to a user for a selected application while controlling the user’s access to non-core functionalities of the selected application.” Spec. ¶ 2.

Claim 1, reproduced below with disputed limitations emphasized in *italics*, is illustrative of the claimed subject matter:

1. A physical article of manufacture including one or more tangible computer-readable storage media, encoding computer-executable instructions for executing on a computer system a computer process, the computer process comprising:
flagging one or more of executable files, shared object library files, and registration keys necessary for a non-core functionality of an application; and

¹ We refer to the Specification, filed June 9, 2016 (“Spec.”); Final Office Action, mailed June 21, 2019 (“Final Act.”); Appeal Brief, filed April 19, 2019 (“Appeal Br.”); Examiner’s Answer, mailed May 30, 2019 (“Ans.”); and Reply Brief, filed July 30, 2019 (“Reply Br.”).

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, LLC. Appeal Br. 3.

disabling the application's access to the flagged executable files, the flagged shared object library files, and the flagged registration keys.

REFERENCES

The prior art relied upon by the Examiner is:

| Name | Reference | Date |
|---------------------|---|---------------|
| Srinivasan | US 2003/0101245 A1 | May 29, 2003 |
| Vertes | US 2004/0111720 A1 | June 10, 2004 |
| Xavier | US 2007/0044149 A1 | Feb. 22, 2007 |
| Aikawa | US 2010/0085150 A1 | Apr. 8, 2010 |
| MATSUSAKA | US 2011/0292432 A1 | Dec. 1, 2011 |
| Bursell | US 2014/0258446 A1 | Sep. 11, 2014 |
| Berk | US 2015/0135167 A1 | May 14, 2015 |
| Vissamsetty | US 2015/0326588 A1 | Nov. 12, 2015 |
| Lu | US 2016/0197730 A1 | July 7, 2016 |
| Harris | US 2016/0224373 A1 | Aug. 4, 2016 |
| Walker | US 2016/0283198 A1 | Sep. 29, 2016 |
| Guidry | US 2016/0357958 A1 | Dec. 8, 2016 |
| Thomas ³ | Windows Server 2008 R2 SECRETS, 2011, John Wiley & Sons, Inc., pages 1- 556 | |

REJECTIONS

Claims 1–6, 10, and 16 stand rejected under 35 U.S.C. § 101 as being directed to patent-ineligible subject matter. Final Act. 8–11.⁴

Claim 1 stands rejected under 35 U.S.C. § 102(a) as anticipated by Lu. Final Act. 11–12.

³ We use “Thomas” herein in place of the use of “Orin” in the Record.

⁴ The Examiner withdrew claims 7–9, 11–15, and 17–20 from the 35 U.S.C. § 101 rejection. Ans. 3.

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Claim 2 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Lu and Bursell. Final Act. 12–13

Claim 3 stands rejected under 35 U.S.C. § 103 as unpatentable over Lu, Bursell, and Vissamsetty. Final Act. 13–14.

Claim 4 stands rejected under 35 U.S.C. § 103 as unpatentable over Lu, Bursell, and Srinivasan. Final Act. 14–15

Claim 5 stands rejected under 35 U.S.C. § 103 as unpatentable over Lu and Thomas. Final Act. 15–16.

Claim 6 stands rejected under 35 U.S.C. § 103 as unpatentable over Lu, Thomas, Xavier, and Matsusaka. Final Act. 16–18

Claim 7 stands rejected under 35 U.S.C. § 103 as unpatentable over Lu, Berk, and Vertes. Final Act. 18–19.

Claims 8 and 9 stand rejected under 35 U.S.C. § 103 as unpatentable over Lu, Thomas, Berk, and Aikawa. Final Act. 19–22.

Claim 10 stands rejected under 35 U.S.C. § 103 as unpatentable over Thomas and Lu. Final Act. 23–24.

Claim 11 stands rejected under 35 U.S.C. § 103 as unpatentable over Thomas, Lu, and Walker. Final Act. 24–24.

Claim 12 stands rejected under 35 U.S.C. § 103 as unpatentable over Thomas, Walker, and Harris. Final Act. 25–26.

Claim 13 stands rejected under 35 U.S.C. § 103 as unpatentable over Thomas, Lu, Walker, Harris, and Guidry. Final Act. 27–27.

Claim 14 stands rejected under 35 U.S.C. § 103 as unpatentable over Thomas and Lu. Final Act. 28–29.

Claim 15 stands rejected under 35 U.S.C. § 103 as unpatentable over Thomas, Lu, and Vissamsetty. Final Act. 29–30.

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Claims 16–20 stand rejected under 35 U.S.C. § 103 as unpatentable over Thomas and Lu. Final Act. 30–32.

ANALYSIS

We have reviewed the Examiner’s rejections in light of Appellant’s arguments. We have considered in this Decision only those arguments Appellant actually raised in the Briefs. Any other arguments Appellant could have made but chose not to make in the Briefs are deemed to be waived. *See* 37 C.F.R. § 41.37(c)(1)(iv).

To the extent consistent with our analysis herein, we adopt as our own the findings and reasons set forth by the Examiner in (1) the action from which this appeal is taken (Final Act. 8–32) and (2) the Examiner’s Answer in response to Appellant’s Appeal Brief (Ans. 3–20) and concur with the conclusions reached by the Examiner. We highlight the following for emphasis.

35 U.S.C. § 101 REJECTION

Appellant’s contentions are unpersuasive with regard to the rejection of claims 1–6, 10, and 16 under 35 U.S.C. § 101. Section 101 defines patentable subject matter: “Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.” 35 U.S.C. § 101. The U.S. Supreme Court, however, has “long held that this provision contains an important implicit exception” that “[l]aws of nature, natural phenomena, and abstract ideas are not patentable.” *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66, 70 (2012) (quotation omitted). “Eligibility under

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35 U.S.C. § 101 is a question of law, based on underlying facts.” *SAP Am., Inc. v. InvestPic, LLC*, 898 F.3d 1161, 1166 (Fed. Cir. 2018).

To determine patentable subject matter, we undertake a two-part test. “First, we determine whether the claims at issue are directed to one of those patent-ineligible concepts” of “laws of nature, natural phenomena, and abstract ideas.” *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 217 (2014). “The inquiry often is whether the claims are directed to ‘a specific means or method’ for improving technology or whether they are simply directed to an abstract end-result.” *RecogniCorp, LLC v. Nintendo Co.*, 855 F.3d 1322, 1326 (Fed. Cir. 2017) (citation omitted). A court must be cognizant that “all inventions at some level embody, use, reflect, rest upon, or apply laws of nature, natural phenomena, or abstract ideas” (*Mayo*, 566 U.S. at 71), and “describing the claims at . . . a high level of abstraction and untethered from the language of the claims all but ensures that the exceptions to § 101 swallow the rule.” *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1337 (Fed. Cir. 2016). Instead, “the claims are considered in their entirety to ascertain whether their character as a whole is directed to excluded subject matter.” *Internet Patents Corp. v. Active Network, Inc.*, 790 F.3d 1343, 1346 (Fed. Cir. 2015).

If the claims are directed to an abstract idea or other ineligible concept, then we continue to the second step and “consider the elements of each claim both individually and ‘as an ordered combination’ to determine whether the additional elements ‘transform the nature of the claim’ into a patent-eligible application.” *Alice*, 573 U.S. at 217 (quoting *Mayo*, 566 U.S. at 79, 78). The Court describes the second step as a search for “an ‘inventive concept’—*i.e.*, an element or combination of elements that is ‘sufficient to ensure that the patent in practice amounts to significantly more

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than a patent upon the [ineligible concept] itself.” *Id.* (quoting *Mayo*, 566 U.S. at 72–73).

The Office published revised guidance on the application of § 101. USPTO, *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. 50 (Jan. 7, 2019) (“Revised Guidance”); *see also* USPTO, *October 2019 Update: Subject Matter Eligibility*, available at https://www.uspto.gov/sites/default/files/documents/peg_oct_2019_update.pdf (Oct. 17, 2019) (“Oct. 2019 Guidance”). Under the Revised Guidance, we look to whether the claim recites

- (1) a judicial exception, such as a law of nature or any of the following groupings of abstract ideas:
 - (a) mathematical concepts, such as mathematical formulas;
 - (b) certain methods of organizing human activity, such as a fundamental economic practice; or
 - (c) mental processes, such as an observation or evaluation performed in the human mind;
- (2) any additional limitations that integrate the judicial exception into a practical application (*see* MPEP § 2106.05(a)–(c), (e)–(h)); and
- (3) any additional limitations beyond the judicial exception that, alone or in combination, were not “well-understood, routine, conventional” in the field (*see* MPEP § 2106.05(d)).

See Revised Guidance, 84 Fed. Reg. at 52, 55, 56. Under the Revised Guidance, if the claim does not recite a judicial exception, then it is eligible under § 101, and no further analysis is necessary. *Id.* at 54. Similarly, under the guidance, “if the claim as a whole integrates the recited judicial

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exception into a practical application of that exception,” then no further analysis is necessary. *Id.* at 53, 54.

USPTO Revised Guidance Step 2A, Prong 1

The Examiner determines claim 1’s “flagging” and “disabling” steps are mental processes which can be performed in the human mind (including an observation, evaluation, judgment, opinion).” Ans. 4. Appellant argues “the Examiner has not shown how a user can mentally disable an application’s access to the flagged executable files, the flagged shared object library files, and the flagged registration keys.” Reply Br. 4.

“Whether a claim is drawn to patent-eligible subject matter is an issue of law that we review de novo.” *SiRF Tech., Inc. v. Int’l Trade Comm’n*, 601 F.3d 1319, 1331 (Fed. Cir. 2010).

Here, we agree with the Examiner that claim 1 recites an abstract idea, namely a mental process. Claim 1 recites “flagging one or more of executable files, shared object library files, and registration keys necessary for a non-core functionality of an application” and “disabling the application’s access to the flagged executable files, the flagged shared object library files, and the flagged registration keys.” A human can mentally flag a file and can decide to refrain from some action that would otherwise result in a file having ongoing access, thereby disabling access.” Thus, claim 1 recites a judicial exception.

USPTO Revised Guidance Step 2A, Prong 2

We are unpersuaded the claims integrate the judicial exception into a practical application. Aside from the abstract idea identified above, claim 1 recites “computer-readable storage media, encoding computer-executable instructions for executing on a computer system a computer process.” The Examiner determines, and we agree, that “[t]he recitation of generic

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computer component (i.e. [a computer-readable medium with instructions])
in the claim does necessarily [remove] that claim from reciting an abstract
idea. Ans. 4.

Appellant argues as follows:

the combination of ‘flagging one or more of executable files, shared object library files, and registration keys necessary for a non-core functionality of an application’ and ‘disabling the application’s access to the flagged executable files, the flagged shared object library files, and the flagged registration keys” is a practical application because it results in preventing the application's access to flagged executable files, the flagged shared object library files, and the flagged registration keys for a non-core functionality.

Reply Br. 5–6. The limitations Appellant refers to, however, are the abstract idea and are not the additional elements that could integrate the abstract idea into a practical application. Moreover, Appellant’s specification describes the additional elements in nothing more than generic terms. Spec. ¶ 58.

Accordingly, Appellant has failed to identify any additional recitations that implement the underlying abstract idea with, or use the underlying abstract idea in conjunction with, “a particular machine or manufacture that is integral” to claim 1, or that effect “a transformation or reduction of a particular article to a different state or thing,” or that apply or use the underlying abstract idea “in some other meaningful way beyond generally linking the use of the [underlying abstract idea] to a particular technological environment, such that the claim as a whole is more than a drafting effort designed to monopolize the exception.” 2019 Revised Guidance, 84 Fed. Reg. at 55.

Thus, claim 1 does not integrate the judicial exception into a practical application.

USPTO Step 2B

Because claim 1 recites a judicial exception and does not integrate that exception into a practical application, we reach the issue of whether the claim adds a specific limitation beyond the judicial exception that is not “well-understood, routine, conventional” in the field. Revised Guidance, 84 Fed. Reg. at 56.

The Examiner finds the claim recites generic computer components (i.e. a computer-readable medium with instructions). Ans. 4

We agree with the Examiner. Appellant has not identified any specific limitation of claim 1 that is not “well-understood, routine, conventional” in the field as per MPEP § 2106.05(d).

Furthermore, the functionalities recited by claim 1 are recited at a high level of generality that do not set forth limited rules for implementing the functionalities sufficient to confer patent eligibility.

Therefore, we conclude that claim 1, viewed “both individually and as an ordered combination,” does not recite significantly more than the judicial exception to transform the claim into patent-eligible subject matter. *See Alice*, 573 U.S. at 217 (internal quotations omitted) (quoting *Mayo*, 566 U.S. at 79).

Accordingly, for the reasons discussed, claim 1 is directed to mental processes identified as abstract ideas. Furthermore, the claims do not recite limitations that amount to significantly more than the abstract idea itself. Accordingly, we sustain the rejection of independent claim 1 under 35 U.S.C. § 101 and of claims 2–6, 10, and 16, which are not argued separately with sufficient particularity.

35 U.S.C. § 102 REJECTION

With respect to the anticipation rejection of independent claim 1, Appellant contends that “the Examiner has not shown how it necessarily follows that a particular executable file that is not a ‘known good’ file is necessarily an executable file ‘necessary for a non-core functionality of an application’ as required in independent claim 1. Reply Br. 7. The crux of Appellant’s argument is that “flagging one or more of executable files, shared object library files, and registration keys necessary for a non-core functionality of an application” should be interpreted such that each of “executable files” and “shared object library files” are modified by “necessary for a non-core functionality of an application.” Because Appellant does not persuasively explain why the “executable files” must be “necessary for a non-core functionality of an application,” we are unpersuaded of error.

Appellant also argues that the Examiner has not established that Lu describes “flagging of shared object library files necessary for a non-core functionality of an application or registration keys necessary for a non-core functionality of an application.” Appeal Br. 9. Appellant contends that “Lu does not even disclose any shared object library files or registration keys, let alone shared object library files and registration keys necessary for a non-core functionality of an application.” *Id.* Appellant does not persuasively establish that “flagging one or more of...” requires flagging a file from each of the three subgroups.

Appellant also argues that “blocking installation” of an executable file as admittedly taught by Lu does not anticipate “disabling the application’s access to the flagged executable files” because “while as per Lu, the flagged executable file is not installed, as per the claimed limitation, the flagged

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executable file may be installed, but an application’s access to the flagged executable file is disabled.” Appeal Br. 10. This argument is unpersuasive because it does not persuasively rebut the Examiner’s finding that Lu’s description of disabling access of a flagged executable file occurs by blocking installation of the file. Ans. 6–7 (citing Lu Fig. 1 and ¶ 37 (upon determination that “the bit pattern is not a member of the database of ‘known good’ executable files, [the system] flags the file [and, after a determination that the file is ‘bad’] may send an instruction to block the installation of the now ‘known bad’ executable file.”)).

Accordingly, we are unpersuaded of error in the rejection of claim 1.

35 U.S.C. § 103 REJECTION

Principles of Law

To overcome a rejection based on obviousness, it is not enough for an Appellant to show that references have differences. *See In re Beattie*, 974 F.2d 1309, 1312–13 (Fed. Cir. 1992). Minor differences between the prior art and a claimed device may be a matter of design choice absent evidence to the contrary. *See In re Rice*, 341 F.2d 309, 314 (CCPA 1965). The obviousness analysis need not seek out precise teachings directed to the specific subject matter of the challenged claim, as the analysis can take account of the inferences and creative steps that a person of ordinary skill in the art would employ. *See KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 418 (2007). This follows, in part, from the fact that the person of ordinary skill in the art is a person of ordinary creativity, not an automaton. *Id.* at 418. Accordingly, inventions that the law deems obvious are those modest, routine, every day, incremental improvements of an existing product or process that do not involve sufficient inventiveness to merit patent

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protection. *See Ritchie v. Vast Resources, Inc.*, 563 F.3d 1334, 1337 (Fed. Cir. 2009).

Analysis

Claim 2 recites “determining the non-core functionality of the application by determining functionalities that access a server configuration file as a non-core functionality.” With respect to the obviousness rejection of independent claim 2, Appellant contends that Bursell does not cure the deficiencies of Lu. Appeal Br. 10. Appellant also argues as follows:

“determining virtual machine and virtualization server configurations” *has nothing to do with* “determining functionalities that access a server configuration.” Furthermore, there is no discussion in Bursell of identifying “functionalities that access a server configuration” as “noncore functionalities.” In fact, Bursell does not even mention anything about any non-core functionality and it therefore cannot disclose or suggest “determining the non-core functionality of the application by determining functionalities that access a server configuration file as a noncore functionality” as recited in claim 2.

Id. at 11.

The Examiner finds as follows:

Bursell discloses dynamic configuration in cloud computing environments, wherein the computer process further comprising determining the non-core functionality of the application by determining functionalities that access a server configuration file as a non-core functionality (*Bursell: 0101, other types of usage data corresponding to usage amounts or statistics for any of the cloud physical resources discussed herein may be received and analyzed to determine virtual machine and virtualization server configurations in step 704*).

Ans. 7–8.

Based on the record before us, we cannot sustain the rejection of claim 2. The Examiner does not adequately explain how the recited limitation reads on Bursell's disclosure at paragraph 101. We also cannot sustain the rejections of claims 3 and 4, which depend therefrom.

Claim 5 depends from claim 1 and, although rejected as obvious, Appellant argues claim 5 based on deficiencies with respect to the anticipation rejection of claim 1. As we do not agree that such deficiencies exist, we sustain the rejection of claim 5.

Claim 6 recites that "disabling the application's access to the common dialog based functionality further comprises disabling the application's access to the registration keys necessary to execute the common dialog based functionality."

Appellant argues that "Xavier and Matsusaka do not remedy any of the deficiencies of Lu and Orin in relation to independent claim 1." Appeal Br. 12. Appellant also presents several arguments alleging that Matsusaka does not disclose certain claimed elements. Appellant argues, for instance that Matsusaka's registration key on a keyboard is different from claim 6's registration key stored in memory that can be flagged. *Id.* Appellant also argues "the cited sections do not disclose anything about 'disabling the application's access to the registration keys'" because "storing 'the period of time during which the displaying of the disabled key is performed' in response to pressing of the registration key **has nothing to do with** 'disabling the application's access to the registration keys,' let alone 'disabling the application's access to the registration keys necessary to execute the common dialog based functionality.'" *Id.* at 12–13.

Appellant's arguments are unpersuasive. For instance, Appellant provides insufficient persuasive argument or evidence that "[Matsusaka]'s

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registration key on a keyboard is different from claim 6's registration key stored in memory that can be flagged.” *Id.* at 12. Nor does Appellant provide sufficient persuasive argument or evidence that Matsusaka's “storing ‘the period of time during which the displaying of the disabled key is performed’ in response to pressing of the registration key ***has nothing to do with*** ‘disabling the application's access to the registration keys’” or “disabling the application's access to the registration keys necessary to execute the common dialog based functionality.” In addition to being persuasively supported, it fails to account for the teachings of the other references.

The Examiner rejects claim 6 over the combined teachings of Lu, Thomas, and Xavier, and Matsusaka. Final Act. 16–18. In particular, the Examiner finds as follows:

Xavier discloses anti-phishing protection. In one embodiment, Xavier disclose disabled link is accessed a warning dialog is presented (*Xavier: fig. 6, par. 0038*).

Matsusaka discloses image forming apparatus and display method for display portion of an image forming apparatus. In one embodiment, Matsusaka discloses when a registration key has been pressed, the control portion 6 causes, for example, the memory 18 or the storage device 63 to store the period of time during which the displaying of the disabled keys is performed (*Matsusaka: pars. 0103, 0109*).

Ans. 10.

Appellant's arguments are unpersuasive because the Examiner relies on, for example, Xavier, not Matsusaka, for teaching presenting a warning dialog when a disabled link is selected. Appellant's arguments do not take this teaching into account. Appeal Br. 12–13; Reply Br. 9–10. Each reference cited by the Examiner must be read, not in isolation, but for what it

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fairly teaches in combination with the prior art as a whole. *In re Merck & Co. Inc.*, 800 F.2d 1091, 1097 (Fed. Cir. 1986); *see also In re Keller*, 642 F.2d 413, 425 (CCPA 1981) (explaining that when the rejection is based on a combination of references, one cannot show nonobviousness by attacking references individually). The relevant inquiry is whether the claimed subject matter would have been obvious to ordinarily skilled artisans in light of the *combined teachings* of the references.

Accordingly, we sustain the rejection of claim 6.

Claim 7 depends from claim 1 and, although rejected as obvious, Appellant argues claim 7 based on deficiencies with respect to the anticipation rejection of claim 1, which we do not find. Accordingly, we sustain the rejection of claim 7.

Claim 8 recites “wherein the computer process further comprising generating a scheduled task with group policy preferences specifying the application’s access permissions to the flagged executable files” Note that the Examiner’s construction of claim 1—with which we agree—requires flagging only one file, disabling the applications access to the flagged file, if the flagged file is an executable file, then it need not be “necessary for a non-core functionality of an application.” *See infra*. Here, one proper construction of claim 8 is the truncated portion of the claim quoted above. Hence, Appellant’s argument is unpersuasive that the rejection of claim 8 is in error because Thomas does “not disclose or even suggest access permissions to any . . . registration keys that have been flagged as being necessary for a non-core functionality of an application as required by claim 8’s dependence from independent claim 1.” Appeal Br. 13–1; Reply Br. 11.

We are also unpersuaded of error in the rejection of claim 9 because Appellant does not persuasively explain why Thomas’s admitted disclosure

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of “enforcing group policies in an ‘on’ or ‘off’ manner” fails to render obvious “running a scheduled task on a periodic basis to enforce such group policy preferences” as required by claim 9. Appeal Br. 14; Reply Br. 11–12. The ability to turn enforcement on and off suggests doing so at least suggests doing so periodically. We are mindful that the skilled artisan is “a person of ordinary creativity, not an automaton.” *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 420, 421 (2007).

Regarding claim 10, Appellant again unpersuasively argues references in isolation. Appeal Br. 14; Reply Br. 12–13; *see Merck* 800 F.2d 1097. Accordingly, we adopt the examiner’s findings and conclusion regarding the rejection of claim 10. Final Act. 23–24; Ans. 13–14. We also adopt the Examiner’s findings and conclusion that claims 11–15 are unpatentable. Final Act. 24–30; Ans. 14–17. We sustain the rejection of claim 10–15. We also sustain the rejection of claims 16–20, which Appellant argues on the same basis as claim 10. Appeal Br. 16 (“claims 16–20 are allowable over Orin and Lu for reasons discussed previously herein”).

CONCLUSION

We sustain the Examiner’s rejection of claims 1–6, 10, and 16 as directed to patent-ineligible subject matter

We sustain the Examiner’s anticipation rejection of claim 1.

We do not sustain the Examiner’s obviousness rejection of claim 2, but we sustain the Examiner’s obviousness rejection of claim 3–20.

DECISION SUMMARY

In summary:

| Claims Rejected | 35 U.S.C. § | Reference(s)/Basis | Affirmed | Reversed |
|-------------------------|-------------|------------------------------------|-------------|----------|
| 1–6, 10, 16 | 101 | Patent-Ineligible Subject Matter | 1–6, 10, 16 | |
| 1 | 102 | Lu | 1 | |
| 2 | 103 | Lu, Bursell | | 2 |
| 3 | 103 | Lu, Bursell, Vissamsetty | | 3 |
| 4 | 103 | Lu, Bursell, Srinivasan | | 4 |
| 5 | 103 | Lu, Thomas | 5 | |
| 6 | 103 | Lu, Thomas, Xavier, Matsusaka | 6 | |
| 7 | 103 | Lu, Berk, Vertes | 7 | |
| 8, 9 | 103 | Lu, Thomas, Berk, Aikawa | 8, 9 | |
| 10 | 103 | Thomas, Lu | 10 | |
| 11 | 103 | Thomas, Lu, Walker | 11 | |
| 12 | 103 | Thomas, Walker, Harris | 12 | |
| 13 | 103 | Thomas, Lu, Walker, Harris, Guidry | 13 | |
| 14 | 103 | Thomas, Lu | 14 | |
| 15 | 103 | Thomas, Lu, Vissamsetty | 15 | |
| 16–20 | 103 | Thomas, Lu | 16–20 | |
| Overall Outcome: | | | 1–20 | |

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). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED