

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HAL B. ZENNER and THOMAS M. ROWLAND

Appeal No. 2003-0133
Application 08/940,702

ON BRIEF

Before KRASS, FLEMING, and RUGGIERO, **Administrative Patent Judges**.

FLEMING, **Administrative Patent Judge**.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 1 through 12, and 25 through 27. Claims 13 through 24 have been canceled.

Invention

The invention relates to an interface mechanism for manipulating detailed billing information. See page 1 of Appellants' specification. Referring to figure 4, there is shown

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a high level flow chart of the Bill Browser application. In step 70, the stored billing information is loaded at a local location. Retained criteria is accessed in step 72. The criteria may be retained locally and applied to new data records locally. In step 74, the field information within the data record is formatted and configured automatically, including the field descriptions, field sizes, data types and editing, number of fields and other relevant information. An action is selected in step 76. Sorting criteria is entered in step 78 if selected. Highlighting criteria is entered in step 80 if selected. Filtering criteria is entered in step 82 if selected. Aliasing data is entered in step 84. The data records in step 94 are sorted, highlighted and filtered in response to the previously retained criteria or the entered criteria. The formatted field information and data is displayed in step 96. Operations occur in the formatted field information in step 98. See page 14 of Appellants' specification.

Claim 1 is representative of appellants' claimed invention and is reproduced as follows:

1. In a browser interface system, a method for manipulating billing and payment information comprising the steps of:

downloading billing information to a local location, wherein said billing information is obtained using a specialized

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application program which communicates over the Internet to a billing service and wherein said billing information indicates at least one bill which a biller requires payment on, said at least one bill comprising a plurality of detailed billing records;

accessing retained criteria entered by a user, wherein said retained criteria includes at least one of sorting, highlighting, filtering and aliasing criteria for personalizing the display of the detailed billing records contained within said at least one bill;

formatting the display of field information within said detailed billing records automatically;

acting upon said retained criteria;

displaying said detailed billing records and said formatted field information in accordance with the acted upon retained criteria using the specialized application without invoking a separate application program; and

operating on said formatted field information.

References

The references relied on by the examiner are as follows:

Hogan	5,699,528	Dec. 16, 1997
	(filing date Oct. 31, 1995)	
Reilly et al. (Reilly)	5,740,549	Apr. 14, 1998
	(filing date Jun. 12, 1995)	
Munsil et al. (Munsil)	5,761,650	Jun. 2, 1998
	(filing date Dec. 29, 1995)	
Williams et al. (Williams)	6,016,484	Jan. 18, 2000
	(filing date Apr. 26, 1996)	

Rejections at Issue

Claims 1 through 3, 5, 6, 8 through 12, and 25 through 27 stand rejected under 35 U.S.C. § 102 as being anticipated by

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Williams. Claims 4 and 7 stand rejected under 35 U.S.C. § 103 as being unpatentable over Williams in view of Munsil. Claims 1, 2, 5, 8 through 12, and 25 through 27 stand rejected under 35 U.S.C. § 103 as being unpatentable over Hogan in view of Reilly. Claims 3, 4, 6, 7, 26, and 27 stand rejected under 35 U.S.C. § 103 as being unpatentable over Hogan in view of Reilly and Munsil.

OPINION

With full consideration being given to the subject matter on appeal, the examiner's rejections and the arguments of the appellants' and the examiner, for the reasons stated **infra**, we reverse the examiner's rejection of claims 1 through 3, 5, 6, 8 through 12, and 25 through 27 under 35 U.S.C. § 102 and we reverse the examiner's rejection of claims 1 through 12, and 25 through 27 under 35 U.S.C. § 103.

Rejection under 35 U.S.C. § 102

It is axiomatic that anticipation of a claim under § 102 can be found only if the prior art reference discloses every element of the claim. **See In re King**, 801 F.2d 1324, 1326, 231 USPQ 136, 138 (Fed. Cir. 1986) and **Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.**, 730 F.2d 1452, 1458, 221 USPQ 481, 485 (Fed. Cir. 1984).

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Appellants point out that claims 1 and 25 of the present application, the only independent claims remaining in the present application, recite a method and apparatus, respectively, for manipulating billing and payment information downloaded over the Internet from a billing service. Appellants point out that the claims require that the billing information includes at least one bill that comprises a plurality of detailed billing records. See page 6 of the brief. Appellants argue that Williams fail to teach or suggest a method or apparatus for sorting, highlighting or filtering detailed billing records contained within a bill obtained in electronic form for formatting field information within each detailed billing record or for displaying the detailed billing records and formatting information contained within the bill in accordance with the criteria entered by the user. See page 6 of the brief.

Upon our review of Williams, we find that Williams teaches an electronic-monetary system that emulates a wallet, a purse, a smart card, a pocketbook, a checkbook, a satchel or other payment instrument holder that is customarily used for storing money, credit cards and other payment instruments. See column 2, lines 56 through 62.

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Although we agree with the examiner that Williams does teach a system for paying bills, we fail to find that Williams teaches a method for manipulating billing and payment information having the steps of downloading bill information, accessing retained criteria entered by a user, formatting the display of field information, acting on the retained criteria and displaying the detailed billing records and formatted field in accordance with the acted upon retained criteria using the specialized application, and operating on the formatted field information as recited in appellants' claim 1. Furthermore, we fail to find that Williams teaches an Internet browser interface for manipulating consumer billing and payment information, comprising means for downloading, means for accessing retained criteria entered by the user, means for formatting the display of field information, means for acting upon retained criteria, means for displaying said detailed and billing records, and said formatted field information means for operating on the formatted field information as recited in appellants' claim 25. Therefore, we will not sustain the examiner's rejection of claims 1 through 3, 5, 6, 8 through 12, and 25 through 27 under 35 U.S.C. § 102 as being anticipated by Williams.

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Rejections under 35 U.S.C. § 103

In rejecting claims under 35 U.S.C. § 103, the Examiner bears the initial burden of establishing a **prima facie** case of obviousness. **In re Oetiker**, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). **See also In re Piasecki**, 745 F.2d 1468, 1472, 223 USPQ 785, 788 (Fed. Cir. 1984). The Examiner can satisfy this burden by showing that some objective teaching in the prior art or knowledge generally available to one of ordinary skill in the art suggests the claimed subject matter. **In re Fine**, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). Only if this initial burden is met does the burden of coming forward with evidence or argument shift to the Appellants. **Oetiker**, 977 F.2d at 1445, 24 USPQ2d at 1444. **See also Piasecki**, 745 F.2d at 1472, 223 USPQ at 788.

An obviousness analysis commences with a review and consideration of all the pertinent evidence and arguments. "In reviewing the [E]xaminer's decision on appeal, the Board must necessarily weigh all of the evidence and argument." **In re Oetiker**, 977 F.2d at 1445, 24 USPQ2d at 1444. "[T]he Board must not only assure that the requisite findings are made, based on

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evidence of record, but must also explain the reasoning by which the findings are deemed to support the agency's conclusion." **In re Lee**, 277 F.3d 1338, 1344, 61 USPQ2d 1430, 1434 (Fed. Cir. 2002).

Claims 4 and 7 stand rejected under 35 U.S.C. § 103 as being unpatentable over Williams in view of Munsil. We will not sustain this rejection for the same reasons as we pointed out above. Furthermore, we fail to find that Munsil provides evidence of the limitations recited in appellants' claim 1 in which claims 4 and 7 are dependent upon.

Claims 1, 2, 5, 8 through 12, and 25 through 27 stand rejected under 35 U.S.C. § 103 as being unpatentable over Hogan in view of Reilly. Appellants argue that neither Hogan nor Reilly teach or suggest a method or apparatus for sorting, highlighting, or filtering detailed billing records contained within a bill obtained in electronic form, for formatting field information within each detailed billing record, or for displaying the detailed billing records and formatted field information contained within a bill in accordance with criteria entered by the user as recited in appellants' claims. See page 8 of appeal the brief.

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The examiner acknowledges that Hogan does not disclose accessing retained criteria entered by the user, wherein said criteria is at least one of sorting, highlighting, filtering and aliasing criteria for personalizing the display of the detailed billing records contained within at least one bill, acting upon said retained criteria, and displaying formatted field information in accordance with the acted upon retained criteria. See page 7 of the examiner's answer. Upon our review of Reilly, we find that Reilly is directed to an information and advertising distribution system. An information server stores and updates a database of information items and advertisements. See column 2, lines 60 through 65. The information items and advertisements are each categorized so that each has an associated information category. Workstations remotely located from the information server each include a display device, a communication interface for receiving at least a subset of information items and advertisements in the information server's database, and local memory for storing the information items and advertisements received from the information server. See column 2, line 65, through column 3, line 5. We agree with the examiner that Reilly does teach a Category Profiler Dialog in column 9, lines 35 through 60. However, we fail to find that Reilly teaches a

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method or apparatus for manipulating billing and payment information having the steps or means for accessing retained criteria entered by the user, wherein the retained criteria includes at least one of sorting, highlighting, filtering, and aliasing criteria for personalizing the display of the detailed billing records contained within at least one bill, formatting the display of field information from said detailed billing records automatically, acting upon the retained criteria, displaying the detailed billing records and said formatting field information in accordance with the acted upon retained criteria using the specialized application without invoking a separate application program, and operating on the formatted field information as recited in appellants' claims 1 and 25.

Claims 3, 4, 6, 7, 26 and 27 stand rejected under 35 U.S.C. § 103 as being unpatentable over Hogan in view of Reilly and Munsil. We note that these claims are dependent upon claims 1 or 25. Therefore, for the same reasons as pointed out above, we will not sustain this rejection.

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In view of the foregoing, we have not sustained the examiner's rejection of claims 1 through 3, 5, 6, 8 through 12, and 25 through 27 under 35 U.S.C. § 102, and we have not sustained the examiner's rejections of claims 1 through 12, and 25 through 27 under 35 U.S.C. § 103.

REVERSED

ERROL A. KRASS)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
MICHAEL R. FLEMING)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
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