

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 19

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CRISTIAN PETCULESCU and AMIR NETZ

Appeal No. 2003-1160
Application 09/418,705

ON BRIEF

Before JERRY SMITH, OWENS and SAADAT, *Administrative Patent Judges*.

OWENS, *Administrative Patent Judge*.

DECISION ON APPEAL

This appeal is from the final rejection of claims 1-30. The rejection of claims 7-11 and 22-26 is withdrawn in the examiner's answer (page 11).

THE INVENTION

The appellants claim a method, system and computer-readable medium for inserting a set of objects into a database cache.

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Claim 1, which claims the method, is illustrative:

1. A computerized method for inserting an object into a database cache, the method comprising:

receiving a user-generated specification of a set of objects to cache;

retrieving the set of objects from a data store; and

inserting the set of objects into the database cache.

THE REFERENCES

Pouschine et al. (Pouschine)	5,918,232	Jun. 29, 1999
Malloy et al. (Malloy)	6,122,636	Sep. 19, 2000
	(effective filing date Jun. 30, 1997)	

THE REJECTION

Claims 1-6, 12-21 and 27-30 stand rejected under 35 U.S.C. § 103 as being unpatentable over Malloy in view of Pouschine.

OPINION

We reverse the aforementioned rejection. We need to address only the independent claims, i.e., claims 1, 12, 16 and 27.

Claims 1, 12 and 16 require receiving a user-generated specification of a set of objects to cache and inserting the set of objects into a database cache. Claim 27 requires receiving at least one of either a user-generated query identifying a set of objects to cache for later use or an application program interface call that specifically identifies a set of objects to cache for later use, the identification of objects in the

application program interface call having originated from a user-generated specification, and inserting the set of objects into a database cache.

The portion of Malloy relied upon by the examiner (answer, page 4) discloses an IBM DB2 relational database management system program, executed by an online analytical processing server, that performs various database operations including search and retrieval operations and insert operations (col. 5, lines 48-53).

Pouschine discloses a distributed online analytical processor that caches some data for faster querying and calculating (col. 8, line 61 - col. 9, line 4; col. 15, lines 53-57; col. 16, lines 1-3 and 46-49).

The examiner argues that "Pouschine discloses the use of 'receiving at least one of either a user generated query identifying a set of objects to cache for later use'" (answer, page 4). The portions of Pouschine relied upon by the examiner (answer, page 5), however (col. 7, line 25 - col. 8, line 37; col. 9, lines 57-67, col. 11, lines 19-27; col. 17, lines 20-30), do not contain such a disclosure.

The examiner argues that "[i]t would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to modify Malloy's system, wherein the multidimensional database, provided thereof (see Malloy's fig. 2) would incorporate the use of receiving a specification of a set of objects to cache and inserting the set of objects into the database cache in the same conventional manner as suggested by Pouschine" (answer, page 5). Pouschine discloses the conventional manner of inserting objects into a database cache. In Pouschine's system, however, the determination of which objects are cached is made by the computer, whereas the appellants' claims require receiving a user-generated specification of a set of objects to cache. The examiner has not established that the applied references disclose this claim feature or would have fairly suggested it to one of ordinary skill in the art.

We therefore conclude that the examiner has not carried the burden of establishing a *prima facie* case of obviousness of the appellants' claimed invention.

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DECISION

The rejection of claims 1-6, 12-21 under 35 U.S.C. § 103
over Malloy in view of Pouschine is reversed.

REVERSED

JERRY SMITH)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
TERRY J. OWENS)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
MAHSHID D. SAADAT)	
Administrative Patent Judge)	

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David I. Roche
Baker & McKenzie
130 E. Randolph Drive
Chicago, IL 60601