

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MANUEL V. PEREIRA III

Appeal No. 2004-0518
Application No. 09/514,227

ON BRIEF

Before: GROSS, BLANKENSHIP and NAPPI, **Administrative Patent Judges.**

NAPPI, **Administrative Patent Judge.**

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 of the final rejection of claims 1, 4 through 6, 10, 12, 13, 18, 21 through 23, 27, 30 through 56, which constitute all the claims in the application.

Invention

The invention relates to a profiling system for controlling users' access to a plurality of objects in a database. The system makes use of three types of records that

Appeal No. 2004-0518
Application No. 09/514,227

are linked. (See page 4 of appellant's specification). Examples of each of the three groups of records are shown in figures 1-3 of appellant's specification.

Claim 1 is representative of the invention and reproduced below:

1. A profiling system for controlling access for a plurality of users to a plurality of objects located in at least one electronic database, the system comprising:
 - a) a first plurality of records including a record for each of the plurality of users, each record having a predetermined number of attributes;
 - b) a second plurality of records, each record of the second plurality of records linked to one of the first plurality of records and having at least one attribute defining at least one of a plurality of objects located in the at least one electronic database, that the user may access; and
 - c) a third plurality of records, wherein each record indicates an attribute of user access control, wherein one of the third plurality of records is linked to one of the second plurality of records to limit the user access control as indicated in the linked one of the third plurality of records to the database object indicated in the linked one of the second plurality of objects.

References

The reference relied upon by the examiner is:

Win et al. (Win)	6,161,139	December 12, 2000 (filed Feb. 12, 1999)
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Appeal No. 2004-0518
Application No. 09/514,227

Claims 1, 4 through 6, 10, 12, 13, 18, 21 through 23, 27, 30 through 56 stand rejected under 35 U.S.C. § 102 as being anticipated by Win. Throughout the opinion we make reference to the briefs¹ and the answer for the respective details thereof.

Opinion

We have carefully considered the subject matter on appeal, the rejection advanced by the examiner and the evidence of anticipation relied upon by the examiner as support for the rejection. We have, likewise, reviewed and taken into consideration, in reaching our decision, the appellant's arguments set forth in the briefs along with the examiner's rationale in support of the rejection and arguments in rebuttal set forth in the examiner's answer.

With full consideration being given to the subject matter on appeal, the examiner's rejection and the arguments of appellant and examiner, for the reasons stated *infra* we will not sustain the examiner's rejection of claims 1, 4 through 6, 10, 12, 13, 18, 21 through 23, 27, 30 through 56 under 35 U.S.C. § 102.

The examiner sets forth the rejection on pages 3 through 7 of the final rejection dated November 8, 2002. On pages 7 and 8 of the answer the examiner states:

¹ Appellant filed an Appeal Brief on July 11, 2003 (certified as being mailed on July 8, 2003, in accordance with 37 C.F.R. § 1.8(a)) and appellant filed a Reply Brief on October 3, 2003 (certified as being mailed on September 29, 2003, in accordance with 37 C.F.R. § 1.8(a)).

Appeal No. 2004-0518
Application No. 09/514,227

“An administrator may define a user by completing and submitting the data entry form for each individual user to be defined. In response, Registry Server 108 stores information defining the user in the Registry Repository 110. See DEFINING USERS in col. 15, lines 30-35. By these actions, **the first plurality of records are hereby created** and stored in the database. **Win** also teaches that an administrator may complete and submit the data entry form for each role to be defined. In response, Registry Server 108 stores information defining the role in the Registry Repository 110. See DEFINING ROLES col. 14 lines 9-15. Roles are defined by information identifying a name of a roll and by a functional group in which the role resides. Role refers to job function such as sales representative, financial analyst, etc. (col. 5, lines 18-21). By these actions, **the second plurality of records are hereby created** and stored in the database. **Win** further teaches that an administrator may complete and submit the data entry form for each resource record to be defined. See DEFINING RESOURCES col. 14, lines 25-35. By these actions, **the third plurality of records are hereby created** and stored in the database.

The appellant responds to this statement by the examiner, on page 4 of the reply brief:

Nowhere does the cited Wind (sic, Win) disclose linking one first record, or the user record, with a second record indicating an object the user may access. Thus, although Win may assign privileges and roles to a user as the Examiner found on page 8 of the Examiner (sic) Answer, nowhere does the cited Win anywhere disclose the specific claimed arrangement of three types of records associated as claimed, where one of a third records indicating an attribute of access control is linked to one of a second records having an attribute defining an object the user may access, where the second record is yet further linked to one of a first records for one user that may access the object identified in the second type of record according to the user access control limits specified in the associated third record.

We concur with appellant. Claim 1 contains limitations to a system where there are three types of records. The first type contains records of user information. The second type contains records that have an attribute defining an object in a database

that

Appeal No. 2004-0518
Application No. 09/514,227

a user may access and where each record is linked to one record in the first type. The third type contains records wherein each record indicates an attribute of user access control and is linked to one of the records in the second type. Independent claims 18 and 27 contain similar limitations.

Anticipation is established only when a single prior art reference discloses, expressly or under the principles of inherency, each and every element of a claimed invention as well as disclosing structure which is capable of performing the recited functional limitations. RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984); cert. dismissed, 468 U.S. 1228 (1984); W.L. Gore and Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984).

We find that Win teaches two types of records, a resource profile and a user profile which are linked by roles (see column 5, lines 26-32). A role is a relationship of a user to an organization and includes definitions of their information needs, access rights or privileges (see column 5, lines 2-10). Roles are assigned to both users and resources (see column 13 lines 59-60). We find that Win's disclosure of Defining Resources is part of the process of assigning roles to resources and a step in the creation of the "Resource Profile" (see Column 13, lines 30-35). Thus, contrary to the examiner's assertion, on page 8 of the answer, we do not find that Win's disclosure of a step of Defining Resources, teaches creation of a third plurality of records, rather we

Appeal No. 2004-0518
Application No. 09/514,227

find it is a step in creating the resource profile. Accordingly, we find that Win does not teach all of the limitations of independent claims 1, 18 and 27, and as such we find that Win does not anticipate the claims.

Accordingly, we will not sustain the examiner's rejection of claims 1, 4 through 6, 10, 12, 13, 18, 21 through 23, 27, 30 through 56 under 35 U.S.C. § 102 anticipated by Win.

Reversed

ANITA PELLMAN GROSS)	
Administrative Patent Judge)	
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HOWARD B. BLANKENSHIP)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
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Appeal No. 2004-0518
Application No. 09/514,227

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