

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

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

AHMED KARMOUCH, TOM GRAY, SERGE MANKOVSKII, and MOUHEINE GUENNOUN

Appeal No. 2006-0427
Application No. 09/663,026

ON BRIEF

Before OWENS, GROSS, and NAPPI, *Administrative Patent Judges*.
OWENS, *Administrative Patent Judge*.

DECISION ON APPEAL

This appeal is from a rejection of claims 1-14, which are all of the pending claims.

THE INVENTION

The appellants claim a system and method for managing system policies. Claim 1 is illustrative:

Claim 1. A multi-agent for managing system policies on a site operating in one of a plurality of system modes within a virtual network, wherein said system policies include authorization policies for controlling one of either permission or interdiction of actions by an agent, and obligation policies for specifying said actions said agent is responsible for performing, comprising:

a plurality of service and device agents, at least one of which functions as a requester agent defined by at least one obligation policy, and another of which functions as an executor

agent for performing an action requested by said requester agent in order to fulfil said at least one obligation policy;

an authorization server operating in accordance with said authorization policies for receiving and authenticating requests from said requester agent and in response returning one of either (i) a permission authorization to said requester agent, which in response forwards said permission authorization to said executor agent for performing said action, or (ii) an interdiction to said requester agent for prohibiting said action;

a policy server for (i) receiving and downloading said obligation policies into said plurality of service and device agents, (ii) for distributing said authorization policies to said authorization server, and (iii) for managing said system policies in accordance with changes in said system modes; and

an event server for effecting shared communication between plurality of service and device agents.

THE REFERENCES

Katz et al. (Katz)	5,926,624	Jul. 20, 1999
Duvvoori et al. (Duvvoori)	6,021,438	Feb. 1, 2000

THE REJECTION

Claims 1-14 stand rejected under 35 U.S.C. § 103 as being unpatentable over Duvvoori in view of Katz.

OPINION

We reverse the aforementioned rejection. We need to address only the independent claims, i.e., claims 1 and 9. Claim 1 requires a plurality of service and device agents, at least one of which functions as a requester agent and another of

which functions as an executor agent for performing an action requested by the requester agent. That claim also requires a policy server for receiving and downloading obligation policies into the plurality of service and device agents, distributing authorization policies to an authorization server, and managing system policies in accordance with changes in system modes. Claim 9 requires sending a confirmation from an executor agent to a requester agent.

The appellants disclose that an agent can behave as both the requester and executor of the same action (specification, page 7, last full paragraph). However, the requirements of claim 1 that at least one agent functions as a requester and another agent functions as an executor, and claim 9 that a confirmation is sent to an executor agent by a requester agent, limit the claims to the requester and the executor being different agents.

Duvvoori discloses a system which restricts the number of copyrighted application programs that are running on a computer network at a particular time (col. 2, lines 48-61). “A wrapper program functions to: insert itself as a pseudo-alias into the directory in which the licensed application resides, move the licensed application to a hidden directory, intercept launch requests for that application, send a message indicating a launch request to the license restriction management process **34** and identify the application program for which the launch request

was received, receive authorization or denial messages from the license restriction management process 34, and, if the launch is denied, the wrapper does not itself launch the application from the hidden directory, but if the launch is authorized, the wrapper program uses a pointer it stored to the location of the application program and launches the program" (col. 7, lines 54-66).

Katz discloses a library and information delivery system comprising a library server (260) that maintains digital information program files (262) created by an authoring system (280), receives requests for access to the digital information program files from client computer systems (214), manages purchase and delivery of selected preview clips (324), and stores operating code segments for a client browser (219), a software player (226) and a mobile playback device (212) that can be downloaded to the client computer systems (col. 8, lines 5-12 and 48-53).

The appellants argue that the applied references do not disclose an agent which functions as a requester agent and another agent which functions as an executor agent as required by claims 1 and 9 (brief, page 10). The examiner argues that Duvvoori discloses separate requester and executor agents at column 3, line 44 to column 4, line 33, and column 5, lines 1-60 (answer, pages 2-3). The examiner does not point out, and it is not apparent, where those portions of Duvvoori disclose separate requester and executor agents. The examiner further argues that Duvvoori discloses agents

(answer, pages 18-19), but does not point out where separate requester and executor agents are disclosed.

The examiner argues that Katz discloses, at column 8, line 5 to column 9, line 62, and column 17, line 41 to column 18, line 34, the policy server required by claim 1. The examiner does not point out, and it is not apparent, where those portions of Katz disclose a policy server for receiving and downloading obligation policies into a plurality of service and device agents, distributing authorization policies to an authorization server, and managing system policies in accordance with changes in system modes. Moreover, the examiner argues that “[i]t would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Katz within the system of Duvvoori with the motivation of providing a client computer system including logic for requesting a download of a selected one or more of the digital information files from the library server (See Katz, Col. 2, lines 20-30)” (answer, pages 3-4). The examiner, however, has not established that the applied references themselves would have led one of ordinary skill in the art to include a library server in a system for controlling the number of copyrighted application programs running simultaneously on a computer network.

For the above reasons we conclude that the examiner has not carried the burden of establishing a prima facie case of obviousness of the appellants' claimed invention.

DECISION

The rejection of claims 1-14 under 35 U.S.C. § 103 over Duvvoori in view of Katz is reversed.

REVERSED

TERRY J. OWENS)
Administrative Patent Judge)
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) BOARD OF PATENT
ANITA PELLMAN GROSS) APPEALS
Administrative Patent Judge) AND
) INTERFERENCES
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