

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte MICHAEL CARROLL

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Appeal No. 2006-0641  
Application 09/416,536

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HEARD: MARCH 21, 2006

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Before HAIRSTON, RUGGIERO, and BLANKENSHIP, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1, 3, 5, 6, 8, 10, 11, 13 through 16 and 18 through 26.

The disclosed invention relates to a method and system for assigning one or more user selectable table portions to at least

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one of one or more graphical portions. The user selectable table portions include a plurality of rows and columns (e.g., a spreadsheet).

Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A system for presenting table information, the table having one or more user selectable table portions, the user selectable table portions including a plurality of rows and columns, the system comprising:

a table presentation module that presents the one or more user selectable table portions in a graphical user interface;

a graphics presentation module that presents one or more graphical portions in the graphical user interface, wherein a user assigns the one or more user selectable table portions to at least one of the one or more graphical portions; and

a user selection module for enabling a user to select the one or more graphical portions thereby causing the table presentation module to present a user selectable table portion assigned to the selected one or more graphical portions.

The references relied on by the examiner are:

Anderson et al. (Anderson)	5,664,127	Sept. 2, 1997
Wilcox	6,097,391	Aug. 1, 2000 (filed Mar. 31, 1997)

Claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18, 20 through 23, 25 and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Anderson.

Claims 1, 6, 11, 16, 21 and 24 through 26 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wilcox.

Claims 14 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson.

Reference is made to the briefs and the answer for the respective positions of the appellant and the examiner.

#### OPINION

We have carefully considered the entire record before us, and we will sustain the anticipation rejection of claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18, 20 through 23, 25 and 26 based upon the teachings of Anderson, sustain the anticipation rejection of claims 1, 6, 11, 16, 21 and 24 based upon the teachings of Wilcox, reverse the anticipation rejection of claims 25 and 26 based upon the teachings of Wilcox, and sustain the obviousness rejection of claims 14 and 19.

Turning first to the anticipation rejection of claim 1 based upon the teachings of Anderson, the examiner has presented findings (answer, page 3) that Anderson discloses all of the limitations of this claim. Appellant argues (brief, pages 5 and 6) that claim 1 is not anticipated by the teachings of Anderson because in Anderson the graphics portions (i.e., tabs) 260 are preset on each of the pages 251 of the spreadsheet (Figure 2C; column 7, line 51 through column 8, line 21), and, as a result of

such a pre-assignment of the graphics portions, Anderson is incapable of "assigning a table portion to a graphics portion." In response to the appellant's argument, the examiner indicates (answer, page 3) that Anderson at column 9, lines 53 and 54, column 10, lines 14 through 26 and 38 through 49 and column 17, lines 1 through 11 teaches such an assignment of table portions to a graphics portion as claimed. In the referenced portions, Anderson teaches that multiple pages of the spreadsheet can be grouped or assigned together as "table portions" by selecting a range of graphics portions (e.g., tabs A through K) (column 9, lines 44 through 50), and that the user can specify or assign a particular cell in each of the grouped sheets to one or more "graphics portions" (e.g., cell C4 in graphics portions/tabs A through K) (column 9, line 66 through column 10, line 14; column 17, lines 1 through 11). Accordingly, the anticipation rejection of claim 1 based upon the teachings of Anderson is sustained. The anticipation rejection of claims 3, 5, 6, 8, 10, 11, 15, 16, 18 and 20 through 23 is likewise sustained because appellant has chosen to let these claims stand or fall with claim 1 (brief, pages 3, 4, and 7).

Turning next to the anticipation rejection of claim 25 based upon the teachings of Anderson, appellant argues (brief, page 9) that "Anderson does not disclose enabling a user to select

*discontiguous* table portions and assign a graphics portion to the selected *discontiguous* table portions, where the graphics portion can later be selected to present the selected *discontiguous* table portions.” We disagree. As indicated supra, Anderson allows the user to group contiguous pages of the spreadsheet, and then assign the grouped contiguous pages to one or more graphical portions. According to the teachings of Anderson (column 9, lines 29 through 60), non-contiguous pages of the spreadsheet may be grouped together in the same manner as contiguous pages of the spreadsheet, and such a grouping may be assigned a user-selectable graphics portion as set forth in claim 25 on appeal. Thus, the anticipation rejection of claim 25 based upon the teachings of Anderson is sustained.

With respect to claim 26, the anticipation rejection is sustained because Anderson specifically states that non-contiguous blocks on a single page of the spreadsheet may be grouped together, and that a graphics portion may be assigned to the non-contiguous blocks (column 9, lines 28 through 33).

Turning to the anticipation rejection of claims 1, 6, 11, 16 and 21 based upon the teachings of Wilcox, appellant argues (brief, page 12) that “Wilcox does not disclose a graphics presentation module that presents one or more graphical portions in the graphical user interface, wherein a user assigns the one

or more user selectable table portions to at least one of the one or more graphical portions." According to the examiner (answer, page 4), the dragging and dropping of an object (i.e., a user selectable table portion) into a designated Zframe icon 310 through 313 (i.e., one or more graphical portions) in Wilcox (column 7, line 31 through column 8, line 14) reads on the limitation allegedly missing in the teachings of Wilcox. Based upon the teachings of Wilcox, the anticipation rejection of claims 1, 6, 11, 16 and 21 is sustained.

The anticipation rejection of claim 24 based upon the teachings of Wilcox is sustained because Wilcox discloses tabs 308 that differ from the Zframe icons 310 through 313 (column 7, lines 46 through 48).

The anticipation rejection of claims 25 and 26 based upon the teachings of Wilcox is reversed because the examiner has failed to explain where discontinuous table portions are found in the teachings of Wilcox.

Turning lastly to the obviousness rejection of claims 14 and 19, we agree with the examiner's statement (answer, page 5) that Figures 4A and 4B of Anderson show the selection of a single column and a single row (column 9, lines 22 through 25), and that it would have been obvious to one of ordinary skill in the art to present that single column or row to the graphical user interface

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to display the results of the selection (Figure 1C; column 5, lines 52 through 55). In summary, the obviousness rejection of claims 14 and 19 is sustained.

#### DECISION

The decision of the examiner rejecting claims 1, 3, 5, 6, 8, 10, 11, 13, 15, 16, 18, 20 through 23, 25 and 26 under 35 U.S.C. § 102(b) based upon the teachings of Anderson is affirmed, and the decision of the examiner rejecting claims 1, 6, 11, 16, 21 and 24 through 26 under 35 U.S.C. § 102(e) based upon the teachings of Wilcox is affirmed as to claims 1, 6, 11, 16, 21 and 24, and is reversed as to claims 25 and 26. The decision of the examiner rejecting claims 14 and 19 under 35 U.S.C. § 103(a) is affirmed.

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No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a)(1)(iv).

AFFIRMED

KENNETH W. HAIRSTON	)	
Administrative Patent Judge	)	
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JOSEPH F. RUGGIERO	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
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	)	
HOWARD B. BLANKENSHIP	)	
Administrative Patent Judge	)	

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