

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

Ex parte ARTHUR WILLARD CHAFFEE

Appeal No. 2006-1244
Application No. 09/410,825
Technology Center 3600

HEARD June 6, 2006

Before OWENS, LEVY 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 71 through 140, 152, and 153. Claims 1 through 70 and 141 through 151 have been canceled. For the reasons stated *infra* we will not sustain the examiner's rejection of claims 71 through 140, 152, and 153.

THE INVENTION

The invention relates to a system to perform accounting and provide comprehensive reports of current real net worth of an investment portfolio. See page 3 of appellant's specification. Claim 71 is representative of the invention and is reproduced below:

71. A method of producing a financial position report for an investment portfolio, comprising:
obtaining single entry transaction data records for individual transactions of the investment portfolio;
receiving a request for a financial position report in the investment portfolio;
calculating current double entry asset, liability and equity balances for the investment portfolio as a whole using the transaction data records and current prices for investments held in the portfolio, wherein the sum of the portfolio asset balances equals the sum of the portfolio liability balances and the portfolio equity balances, and wherein the liability balances include balances that reflect obligations that would result if all investments of the investment portfolio were liquidated at said current prices;
generating a financial position report for the portfolio that presents the asset, liability and equity balances of the portfolio in a double entry format;
presenting the financial position report, wherein asset, liability and equity balances displayed in the financial position report are associated with hyperlinks to corresponding reports supporting the respective balances; and
in response to user selection of one of said hyperlinks associated with one of said balances, presenting a report supporting the balance associated with the selected hyperlink.

THE REFERENCES

The references relied upon by the examiner are:

Reese	US 6,236,980	May 22, 2001 (April 9, 1998)
Hinkle	US 6,442,533	Aug. 27, 2002 (Oct. 28, 1998)
Lewis	US 2002/0065752 A1	May 30, 2002 (Feb. 16, 1999)

THE REJECTION AT ISSUE

Claims 71 through 140, 152 and 153 stand rejected under 35 U.S.C. § 103 as being unpatentable over Hinkle in view of Lewis and Reese. Throughout the opinion we make reference to the briefs 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 obviousness relied upon by the examiner as support for the rejection. We have, likewise, reviewed and taken into consideration, in reaching our decision, 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 the examiner, for the reasons stated *infra* we will not sustain the examiner's rejection of claims 71 through 140, 152 and 153 under 35 U.S.C. § 103.

Appellant argues that while Hinkle teaches, "driven tables" such as a customer balance sheet table that contains assets and liabilities, Hinkle's balance sheet is based on historical data and not current market prices as specified in the claims. See Brief page 12. Further, appellant argues, on page 13 of the brief:

Hinkle does not discuss particular types of reporting and does not provide any indication of the manners of presenting investment portfolio information that were known prior to the present invention. Therefore Hinkle cannot be said to motivate the generation of a financial position report for an investment portfolio that presents the current values of asset, liability and equity balances in a double entry format and that provides hyperlinks between those balances and supporting reports.

Appellant asserts that Lewis does teach a system which generated reports, however, Appellant argues that Lewis' reports are static and do not contain current investment portfolio information as required by claim 71. See Brief, page 17. Further, Appellant argues that while Reese does teach hyper-linking between documents, Reese does not teach hyper-linking from a balance displayed to a supporting report as is claimed. See page 18 of the brief. Accordingly, Appellant asserts independent claims 71 and 152 are patentable over the combination of Hinkle, Lewis and Reese.

The examiner, in the statement of the rejection, refers to numerous citations of Hinkle to support his finding that Hinkle teaches a financial position report for the portfolio that presents the asset, liability and equity balances in a double entry format. See Answer, pages 3 and 4. In response to appellant's arguments that Hinkle does not teach this, the examiner states that figures 2B, 4D and 15 of Hinkle disclose generating a balance sheet for the customer and that "it is old and well known that in a balance sheet the sum of the portfolio asset balances equals the sum of the portfolio liability balances and the portfolio equity balances." See page 20 of the Answer.

We disagree with the examiner's reasoning and find that the evidence of record does not support it. Claim 71 recites:

calculating current double entry asset, liability and equity balances for the investment portfolio as a whole using the transaction data records and current prices for investments held in the investment portfolio, wherein the sum of the portfolio asset balances equals the sum of the portfolio liability balances and the portfolio equity balances, and wherein the liability balances include balances that reflect obligations that would result if all investments of the investment portfolio were liquidated at said current prices

Independent claim 152 recites a similar limitation. Thus, the scope of claims 71 and 152 includes both a) that the sum of the asset balances equals the sum of the liability and equity balances and b) that the liability balances include obligations that would result if all investments were liquidated at current prices. We have reviewed Hinkle, Lewis and Reese, and we do not find that they teach or suggest these limitations either in sections

Appeal No. 2006-1244
Application No. 09/410,825

cited by the examiner or elsewhere in the documents. While we find that both Hinkle and Lewis disclose reports we do not find that they disclose reports which either teach or suggest these limitations. Furthermore, regarding the examiner's statement that it is old and well known to create balance reports with these features, we find no evidence of record to support such an assertion. Accordingly, we will not sustain the examiner's rejection, under 35 U.S.C. § 103, of independent claims 71 and 152 or the claims dependent thereupon, claims 72 through 140 and 153. The decision of the examiner is reversed.

REVERSED

TERRY J. OWENS)	
Administrative Patent Judge)	
)	
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)	BOARD OF PATENT
STUART S. LEVY)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES
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)	
ROBERT E. NAPPI)	
Administrative Patent Judge)	

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Appeal No. 2006-1244
Application No. 09/410,825

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