

The opinion in support of the decision being entered today 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* AYMAN O. FARAHAT, FRANCINE R. CHEN,  
CHARLES R. MATHIS and GEOFFREY D. NUNBERG

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Appeal 2007-0342  
Application 10/232,932  
Technology Center 2100

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Decided: July 23, 2007

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Before JOSEPH F. RUGGIERO, HOWARD B. BLANKENSHIP, and ALLEN R. MACDONALD, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

DECISION ON APPEAL

This appeal involves claims 1-9, the only claims pending in this application. We have jurisdiction under 35 U.S.C. §§ 6(b), 134(a).

## INTRODUCTION

The claims are directed to methods for ranking documents according to authoritativeness. Claim 1 is illustrative:

1. A method for creating, on a machine having an encoder, a document textual authority model used to determine an authority of a document having a plurality of document content features, the method comprising:

determining, for each document in a set of documents, a set of document classification attributes based on textured [sic]<sup>1</sup> contents of documents;

applying a document attribute evaluation framework to each document in the set of documents to determine, based on the set of document classification attributes, a value of textual authoritativeness or a class of textual authority for the document;

selecting a subset of document content features from the plurality of document content features; and

encoding, using the encoder, the subset of document content features into a feature vector x; and

determining a predictive model used to assign the feature vector x to an authority rank or class based on the determined value of textured [sic] authoritativeness or class of textual authority.

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<sup>1</sup> Although claim 1 recites “textured” contents of documents and “textured” authoritativeness, we read the word as “textual,” consistent with both the Examiner and Appellants’ reading. The obvious error was introduced by Appellants’ amendment filed May 10, 2005.

The Examiner relies on the following prior art references to show unpatentability:

Saund	US 5,687,364	Nov. 11, 1997
Chakrabarti	US 6,336,112 B2	Jan. 1, 2002

The rejection as presented by the Examiner is as follows:

1. Claims 1-9 are rejected under 35 U.S.C § 103(a) as unpatentable over Chakrabarti and Saund.

Earlier rejections under 35 U.S.C. §§ 101 and 112 have been withdrawn by the Examiner (Answer 8).

## OPINION

As evidence of unpatentability, the Examiner offers Chakrabarti and Saund against instant claims 1 through 9. Based on Appellants' arguments in the Brief, we will consider independent claim 1 and dependent claim 9 as representative of the invention for purposes of this appeal. *See* 37 C.F.R. § 41.37(c)(1)(vii).

Appellants submit, in response to the § 103 rejection of claim 1, that the links (e.g., uniform resource locator (URL) or IP address ) contained in a Web page as described by Chakrabarti do not correspond to “textual contents” of a document as claimed. Saund is considered to not supply the subject matter believed to be missing in Chakrabarti. (Br. 8-9.)

The Examiner responds (Answer 10) that hyperlinks or page links are “textual contents” within a Web page or document. In the Reply Brief, Appellants do not dispute that a hyperlink may be considered “textual

content,” but argue that the “authoritativeness” in Chakrabarti is a measure of relevance. According to Appellants, the “authoritativeness” that is claimed, when read to be consistent with the Specification, is indicative of whether the information provided in the document is “reliable,” based on indicia of reliability as exemplified in the Specification (¶¶ 2, 4, 6, 19, and 62, according to Appellants). (Reply Br. 2.)

A reference to another Web page, such as a URL, may contain textual information. As shown, for example, in the first-listed URL in instant Figure 13, a URL may contain text such as “brainscience” or “brown.” We consider the Examiner’s position that a URL may be “textual” contents of a document to be supported by the record. Further, Appellants point to nothing in the Specification that redefines the word “authoritativeness” to distinguish over Chakrabarti’s use of the word. Appellants, instead, use words not in the claim (e.g., “reliable”) and refer to exemplary embodiments contained in the Specification. Our reviewing court, however, has repeatedly warned against confining the claims to specific embodiments described in the specification. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1323, 75 USPQ2d 1321, 1334 (Fed. Cir. 2005) (en banc). Unlike proceedings in a District Court, applicants for patent have the ability (and duty) to amend the claims, to the extent that support is found in the specification, to avoid the prior art. “An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.” *In re Zletz*, 893 F.2d 319, 322, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

We therefore find Appellants' arguments based on narrowing limitations we are to read from the Specification to be unpersuasive. Moreover, we note that the “value of textual authoritativeness” is merely an alternative in claim 1. Even if Chakrabarti were not considered to teach a value of “textual authoritativeness” for a document as alleged by Appellants, the reference has not been shown to lack the alternative determination of a “class of textual authority” for the document.

Instant claim 9 recites determining the set of document classification attributes of a document based on information provided “within the document.” Appellants argue that a link such as a URL is not “textual contents” of a document (Br. 9), which we again find unpersuasive. Appellants submit, in addition, that Chakrabarti only discloses two approaches for determining the authoritativeness value of a document: (1) based on hyperlinks to the document; and (2) based on what other documents say about the document. (Br. 10.)

Chakrabarti describes an iterative method for determining the authoritativeness of a document. Col. 5, ll. 15-20. The reference describes one way of doing this at column 14, line 42 through column 15, line 20. Different pages on the same Web site are considered together to avoid “self-promotion” of Web sites that confer their authority upon themselves. While the authoritativeness value of a document is based on hyperlinks to the document, we find that the value is also based on hyperlinks within the document. If multiple documents within a logical site have non-zero authority, the authorities of all but the page with the largest authority are set to zero. Chakrabarti col. 15, ll. 16-20.

What a reference teaches is a question of fact. *In re Baird*, 16 F.3d 380, 382, 29 USPQ2d 1550, 1552 (Fed. Cir. 1994); *In re Beattie*, 974 F.2d 1309, 1311, 24 USPQ2d 1040, 1041 (Fed. Cir. 1992). We consider Chakrabarti to support the Examiner's finding that attributes as claimed are determined based on information provided "within" the document. At least in the case that several related documents are ranked for authoritativeness based on the hyperlinks within *all* the related documents, the value for a particular document is determined at least in part on information (i.e., hyperlinks) provided within that document. As one example, a first document that contains multiple links to another document makes it less likely that the first document will be determined to have non-zero authority.

We have considered all of Appellants' arguments in response to the rejection over Chakrabarti and Saund. Being not persuaded of error, we sustain the rejection of claims 1 through 9.

## CONCLUSION

In summary, the rejection of claims 1-9 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 C.F.R. §1.136(a). See 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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