

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

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ANDREW D. SIMCHIK, KRISTINN R. RZEPKOWSKI,
and THOMAS J. PERRY

Appeal 2007-0892
Application 09/496,698
Technology Center 2600

Decided: March 28, 2007

Before ANITA PELLMAN GROSS, ROBERT E. NAPPI, and ANTON W. FETTING, *Administrative Patent Judges*.

GROSS, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Simchik, Rzepkowski, and Perry (Appellants) appeal under 35 U.S.C. § 134 from the Examiner's final rejection of claims 8 through 12 and 27 through 31, which are all of the claims pending in this application.

Appellants' invention relates to a method and system of placing a link to a webpage in a document so that when the document is opened, the webpage is retrieved, and updated information from the webpage is converted into an image file and placed into the document. Claim 8 is illustrative of the claimed invention, and it reads as follows:

8. A method suitable for use with a printing system for dynamically linking changing content present in a page in a network with a document, said method comprising the steps of:

inserting a link into the document, said link corresponding to a page present in the network wherein the page includes a web page,

automatically launching a browser in response to the link,

automatically retrieving the content of the page from the network, and

automatically converting the content of the page into an image file suitable for insertion into the document, and

automatically inserting the converted content into the document.

The prior art reference of record relied upon by the Examiner in rejecting the appealed claims is:

Brobst

6,061,700

May 09, 2000
(filed Aug. 08, 1997)

Claims 8 through 12 and 27 through 31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Brobst.

We refer to the Examiner's Answer (mailed July 5, 2006) and to Appellants' Brief (filed April 3, 2006) and Reply Brief (filed September 5, 2006) for the respective arguments.

SUMMARY OF DECISION

As a consequence of our review, we will reverse the anticipation rejection of claims 8 through 12 and 27 through 31.

OPINION

Independent claim 8 requires, in pertinent part, linking content from a webpage with a document, inserting a link to the webpage into the document, converting content from the webpage into an image file, and inserting the converted content into the document. The issue is whether Brobst discloses inserting a link to a webpage into a document, converting content from the webpage into an image file, and inserting the converted content into the document. Appellants contend (Br. 4-5 and Reply 2-4) that Brobst merely discloses reformatting plural webpages as a single webpage. From this, Appellants conclude Brobst does not disclose inserting a link to a webpage into a document nor converting the content from the webpage to an image file to be inserted into the document. We agree.

Brobst discloses (col. 1, ll. 43-51) that printing several related webpages can be tedious, as each page must be invoked and printed individually. Brobst solves the problem (col. 1, l. 66-col. 2, l. 12) by collecting all of the URLs for the webpages, invoking them, and generating a conglomerate page to be printed using a standard browser print function. The Examiner explains (Answer 6) that the conglomerated webpage is a single document and (Answer 7-8) that formatting the webpages as a single conglomerate webpage that can be printed is the same as converting the content to an image file and inserting it into the document.

First, Brobst formats the webpages as a single webpage to be printed, but does not convert the content of any of the pages to an image file, as required by claim 8. We find no disclosure in Brobst of converting the content to an image file.

Second, we find no disclosure in Brobst of inserting a link into a document. If we were to take the Examiner's interpretation of Brobst, wherein the conglomerated page is the recited document, then there is no inserting a link into the document. The links are used to open webpages that are then reformatted and combined into a conglomerated webpage. The links are not inserted into the final page. Further, the conglomerated page does not exist before the links are inserted and launched. Therefore, the page cannot be the document.

An anticipation requires that each and every element be present in a single reference. We have found Brobst lacking for several claim limitations. Accordingly, Brobst cannot anticipate claim 8 or the claims dependent thereon, claims 9 through 12, 27, 29, and 31. In addition, since claim 28 similarly recites a link facility for inserting a link to a network page into a document and a production agent for converting the text of the network page into an image file, Brobst cannot anticipate claim 28 or its dependent, claim 30.

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ORDER

The decision of the Examiner rejecting claims 8 through 12 and 27 through 31 under 35 U.S.C. § 102(e) is reversed.

REVERSED

vsh

PATRICK R ROCHE
FAY, SHARPE, FAGAN, MINNICH & MCKEE LLP
1100 SUPERIOR AVENUE
7TH FLOOR
CLEVELAND, OH 44114-2518