

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DENNIS FUK-KUEN LI

Appeal 2007-2271
Application 10/243,295¹
Technology Center 2100

Decided: February 20, 2008

Before JOSEPH F. RUGGIERO, JEAN R. HOMERE, and MARC S. HOFF,
Administrative Patent Judges.

HOFF, *Administrative Patent Judge.*

DECISION ON APPEAL

STATEMENT OF CASE

Appellant appeals under 35 U.S.C. § 134 from a Final Rejection of claims 1-23. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

Appellant's invention relates to a data management system for accessing a plurality of data sources. The system includes a common data model, a plurality of service managers, and a data services coordinator that

¹ Application filed September 13, 2002. The real party in interest is General Motors Corporation.

coordinates operation of at least some of the service managers in using the common data model to instantiate a common data object that is then used to supply requested data (Specification 2).

Claim 1 is exemplary:

1. A data management system for use in accessing a plurality of data sources having data stored in different formats, comprising:
 - a computer network including a group of two or more computers interconnected to each other such that they can exchange data over a communications path;
 - a common data model stored on one or more of the computers and including a data class having a plurality of attributes defining properties of the data class;
 - a plurality of service managers including at least a data access manager and an ancillary service manager, wherein the data access manager is operable to access the common data model and to access data from one or more of the data sources for use in instantiating a common data object containing the accessed data, and wherein the ancillary service manager is operable to provide a data service function; and
 - a data services coordinator responsive to requests for access to data available from one or more of the data sources, wherein the data services coordinator is operable to coordinate operation of at least some of the service managers in creating and utilizing the common data object to supply the requested data.

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Lipkin US 2002/0049788 A1 Apr. 25, 2002

Claims 1-23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lipkin.

Appellant contends that the Examiner erred in her rejection of claims 1 through 23 because Lipkin does not teach a common data model (Br. 6-8),

a plurality of service managers (including a data access manager and an ancillary service manager)(Br. 7-8), or a data services coordinator (Br. 8-9) as required by the claims.

ISSUE

The principal issue in the appeal before us is whether the Examiner erred in holding that Lipkin teaches a common data model, plurality of service managers, and data services coordinator as claimed by Appellant.

FINDINGS OF FACT

The following Findings of Fact (FF) are shown by a preponderance of the evidence.

The Invention

1. According to Appellant, he invented a data management system for accessing a plurality of data sources, which includes a common data model, a plurality of service managers, and a data services coordinator that coordinates operation of at least some of the service managers in utilizing the common data model to instantiate a common data object that is then used to supply the requested data (Specification 2).

Lipkin

2. Lipkin teaches an automated system using a server to efficiently manage dynamic web content development thereby minimizing the use of hardware resources and user input effort (para. [0016]).

3. In one embodiment, Lipkin provides a computer implemented method for generating web content that includes reading a control file;

loading a model file; processing the model file; transforming the model file using a widget library; and transforming the transformed model file using a view transformation file to produce the web content. Processing the model file can also include processing a tag from a tag library, generating a Java class, and producing a model instance (para. [0017]).

PRINCIPLES OF LAW

Anticipation is established when a single prior art reference discloses expressly or under the principles of inherency each and every limitation of the claimed invention. *Atlas Powder Co. v. IRECO Inc.*, 190 F.3d 1342, 1347 (Fed. Cir. 1999); *In re Paulsen*, 30 F.3d 1475, 1478-79 (Fed. Cir. 1994).

ANALYSIS

With regard to claim 1, Appellant argues that Lipkin does not teach a common data model (Br. 6-8), a plurality of service managers (including a data access manager and an ancillary service manager)(Br. 7-8), or a data services coordinator (Br. 8-9) as required by the claims.

In the Answer, the Examiner attempts to refute Appellant's position, referring the reader to a number of drawing figures and paragraphs for each element at issue, purporting to show that Lipkin does teach a common data model, plurality of service managers, and a data services coordinator. The "Response to Argument" section contains extended quotations from Lipkin allegedly supporting the Examiner's position (Ans. 12-14).

We agree with Appellant. For each element at issue, the Examiner refers the reader to a number of drawing figures and paragraphs in the Specification. We have reviewed the sections cited by the Examiner, and we

are unable to identify elements in Lipkin corresponding to those claimed. The Examiner attempts to refute Appellant's arguments in the Brief by block quoting general statements from the reference, none of which specifically teach the claim elements Appellant asserts to be missing from the reference.

With respect to the “common data model,” the Examiner refers the reader to, *inter alia*, Lipkin’s “Common Business Objects module” (para. [0118]-[0132] and Fig. 5, element 505), which “defines the set of business abstractions that are shared across more than one vertical application” (para. [0118]) and which comprise a series of enumerated Session Managers (para. [0120]-[0132]). The Examiner also refers to the Sales and Marketing Session Managers delivered as part of Common Business Objects (para. [0188]-[0189]), and to later paragraphs referring to business objects (Ans. 4). The Examiner does not explain how Lipkin’s Common Business Objects include a data class having a plurality of attributes defining properties of the data class. We therefore find that Lipkin does not teach the claimed “common data model.”

With respect to the claimed “plurality of service managers, including at least a data access manager and an ancillary service manager,” the Examiner refers to the “managers” in Figure 6 of Lipkin (element 621) as well as a variety of numbered paragraphs mentioning “session managers” (Ans. 4). As argued by Appellant, however, “manager” 621 is defined as a team manager (Br. 7, citing para. [0209]), which “uses profile metadata in more of an end-use business application in which it defines, updates, and tracks learner progress towards goals. It is not a data access manager that operates as defined in claims 1 and 6” (Br. 7). We agree with Appellant’s

characterization of the “managers” in Lipkin’s Figure 6. None of the other cited paragraphs supply the necessary teaching. We therefore find that Lipkin does not teach the claimed “plurality of service managers.”

With respect to the claimed “data services coordinator,” the Examiner refers to Lipkin’s Interface Server and Intraconnect Server (Fig. 4, elements 417 and 423) and Event Manager (Fig. 10, element 1030), and three other paragraphs in Lipkin. None of these citations teach a component “responsive to request for access to data available from one or more of the data sources ... [and] operable to coordinate operation of at least some of the service managers in creating and utilizing the common data object to supply the request data,” as the claims require. We therefore find that Lipkin does not teach the claimed “data services coordinator.”

Because Lipkin does not teach all the elements of the invention claimed in claim 1, we reverse the rejection of claim 1. Appellant presents separate arguments for the patentability of claims 6 and 7. Because claims 6 and 7 contain the same elements that we find to be absent from Lipkin (see the discussion of claim 1, *supra*), it is unnecessary for the Board to reach Appellant’s separate arguments regarding claims 6 and 7.

We reverse the rejection of claims 1, 6, and 7, as well as claims 2-5 and 8-23.

CONCLUSION OF LAW

We conclude that Appellant has shown that the Examiner erred in rejecting claims 1-23. On the record before us, claims 1-23 have not been shown to be unpatentable.

Appeal 2007-2271
Application 10/243,295

DECISION

The Examiner's rejection of claims 1-23 is reversed.

REVERSED

eld

GENERAL MOTORS CORPORATION
c/o REISING, ETHINGTON, BARNES, KISSELLE, P.C.
P.O. BOX 4390
TROY MI 48099-4390