

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* ROBERT N. GOLDBERG, YURY KAMEN, SYED M. ALI, and  
BRUCE K. DANIELS

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Appeal 2008-0687  
Application 10/104,851  
Technology Center 2100

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Decided: June 27, 2008

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Before JAMES D. THOMAS, ALLEN R. MACDONALD,  
and THU ANN DANG, *Administrative Patent Judges*.  
THOMAS, *Administrative Patent Judge*.

DECISION ON APPEAL

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 2 through 5, 7 through 10, 12, and 15. We have jurisdiction under 35 U.S.C. § 6(b).

As best representative of the disclosed and claimed invention, independent claim 15 is reproduced below:

15. A computer readable medium comprising instructions, executed by a processor, to cause a computer system to:

create a platform-independent query:

create an object-database mapping for a first platform;

created a first platform specification defining the first platform upon which a first query object is to be executed;

generate the first query object using the platform-independent query, the first platform specification, and the object-database mapping for the first platform;

create an object-database mapping for a second platform;

create a second platform specification defining the second platform upon which a second query object is to be executed; and

generate the secondary query object using the platform-independent query, the second platform specification, and the object-database mapping for the second platform,

wherein the first platform comprises a first database and the first database executes the first query object and a second platform comprises a second database and the second database executes the second query object.

The following reference is relied on by the Examiner:

Goldberg US 6,571,232 B1 May 27, 2003  
(Filing date Nov. 1, 1999)

Claims 2 through 5, 7 through 10, 12, and 15 stand rejected under 35 U.S.C. § 102(e) and being anticipated by Goldberg<sup>1</sup>

Rather than repeat the positions of the Appellants and the Examiner, reference is made to the Brief (no Reply Brief has been filed) for Appellants' positions, and to the Answer for the Examiner's positions.

### OPINON

For the reasons set forth by the Examiner in the Answer, as expanded upon here, we sustain the outstanding rejection of all claims on appeal under 35 U.S.C. § 102. The Brief presents arguments only as to independent claim 15, with statements at the bottom of page 10 of the principal Brief that all other dependent claims fall with our consideration of claim 15.

As to the rejection that remains for our consideration on appeal, Appellants' arguments directed to Goldberg and the subject matter of independent claim 15 at pages 11 through 15 of the Brief (labeled as arguments D1-D4) have been directly addressed by the Examiner in the responsive arguments portion of the Answer at pages 6 through 8. We agree with the Examiner's assessment of and the claim correlations to Goldberg.

As to the subject matter of independent claim 15, the claimed first and second platforms and query objects may be identical as well as the recited first and second databases. None of these recited elements are recited in a manner to indicate one is necessarily respectively different from the other.

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<sup>1</sup> In accordance with the Examiner's Advisory Actions mailed on January 23, 2007, and March 30, 2007, the Examiner's objections to various claims, an outstanding rejection of certain claims under the second paragraph of 35 U.S.C. § 112, as well as an outstanding rejection under 35 U.S.C. § 101 of claim 15 have been obviated by Appellant's submissions.

The Examiner's positions in the Answer and our understanding of Goldberg make it clear that the reference teaches a standard query language such as Structured Query Language (SQL) which is considered by the art to be a platform independent query-based language.

It is understood that a basic aim of the disclosed invention is to be able to reuse a given platform independent query in such a manner as to generate a number of platform-specific query objects. Stated otherwise, a plurality of platform-specific query objects may be generated according to Appellants' methodology from the same platform independent query. Even beginning in the discussion at columns 1 and 2 of Goldberg, it appears that the same aim has been known in the art utilizing at least the so-called two-tiered and three-tiered models. According to the discussion beginning at column 2, it was known in the art to utilize generic-types of queries and translate them into specific platform-specific query objects. To do this, platform specifications as well as the mapping requirements for them were known in the art. The database schema access object 300 in figure 3 is utilized by the query object generator tool 400 in figures 4 and 6 to generate a specific query object 408 for a specific database. Thus, Goldberg teaches the essential concepts of the disclosed and claimed invention.

In view of the foregoing, the decision of the Examiner rejecting all claims on appeal under 35 U.S.C. § 102 is affirmed.

Appeal 2008-0687  
Application 10/104,851

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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