

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL R. SANDER,
DAMIEN R. FORKNER, LEMOYNE F.HADLEY,
JEFFREY M. MUNSEY, ANNE R. PFAU,
and MICHAEL L. VANDERFORD

Appeal 2008-0999
Application 10/186,502
Technology Center 2100

Decided: October 30, 2008

Before HOWARD B. BLANKENSHIP, ST. JOHN COURTENAY III, and
STEPHEN C. SIU, *Administrative Patent Judges*.

SIU, *Administrative Patent Judge*.

DECISION ON APPEAL

I. STATEMENT OF THE CASE

A Patent Examiner rejected claims 1-14. The Appellants appeal therefrom under 35 U.S.C. § 134(a). We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

The Invention

The invention pertains to controlling user access to editable files in a database. The database includes files and access information for the files. The access information provided for each file indicates which users have edit access for each of the files. On a shared drive separate from the database, each user has a user directory containing symbolic links to each file that the user has permission to edit. The symbolic links give the appearance that each file in the user's directory resides on the shared drive instead of in the database. A link update routine periodically scans through the access information and updates the user directories for changes in the access information. After completion of the link update routine, the symbolic links in each user's directory corresponds with each file's access information (Specification 2).

Independent claim 1 is illustrative:

1. A system comprising:

a database, the database including a plurality of files and access information, the access information indicating which users have edit access to which files in the database;

a shared drive, the shared drive containing for each user of the shared drive a directory structure that includes symbolic links to any files in the database to which files at least one of the users has edit access, wherein the shared drive is separate from the database and does not contain the plurality of files, but only contains symbolic links to files within the plurality of files to which files at least one of the users has edit access; and,

a link update routine that scans the access information in the database and updates the symbolic links in the shared drive to take into account any changes made to the access information.

Rejections

1. Claims 1-2, 4-6, and 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Campbell, Kawaguchi and Nojima.
2. Claims 3, 7, and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Campbell, Kawaguchi, Nojima and Burch.

Prior Art

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

Kawaguchi	US 5,832,527	Nov. 3, 1998
Nojima	US 2001/0029507 A1	Oct. 11, 2001
Campbell	US 2002/0111942 A1	Aug. 15, 2002 (filed Aug. 10, 2001)

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Burch

US 2003/0051117 A1

Mar. 13, 2003
(filed Sep. 13, 2001)

ISSUES

Have the Appellants established that the Examiner erred in determining that the claimed limitations are taught by Campbell, Kawaguchi, and Nojima, specifically whether Nojima discloses the claim limitation of “a link update routine that scans the access information in the database and updates the symbolic links in the shared drive to take into account any changes made to the access information?” (App. Br. 11).

FINDINGS OF FACT

Nojima teaches Nojima discloses that the “update starting function” causes “a path name of a contents subject to update . . . [to be] designated” (¶[0078]), that “a link to a file . . . is deleted” (¶[0097]), and that “a file . . . is registered as a link [to] destination contents” (*id.*).

PRINCIPLES OF LAW

The question of obviousness is "based on underlying factual determinations including . . . what th[e] prior art teaches explicitly and inherently" *In re Zurko*, 258 F.3d 1379, 1383-84 (Fed. Cir. 2001)

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(citing *Graham v. John Deere Co.*, 383 U.S. 1, 17-18 (1966); *In re Dembiczak*, 175 F.3d 994, 998 (Fed. Cir. 1999); *In re Napier*, 55 F.3d 610, 613 (Fed. Cir. 1995)). "In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a *prima facie* case of obviousness." *In re Rijckaert*, 9 F.3d 1531, 1532 (Fed. Cir. 1993) (citing *In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992)). "A *prima facie* case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art." *In re Bell*, 991 F.2d 781, 783 (Fed. Cir. 1993) (quoting *In re Rinehart*, 531 F.2d 1048, 1051 (CCPA 1976)).

ANALYSIS

Appellants argue that “[n]othing in *Nojima* at page 7, paragraph [0097] discloses or suggest a link update routine that . . . updates symbolic links in a shared drive to take into account any changes made to access information” (App. Br. 9).

The Examiner finds that *Nojima* discloses “the update starting function . . . called to start an update session” (Supp. Ans. 22). However, *Nojima* discloses that the “update starting function” causes “a path name of a contents subject to update . . . [to be] designated” (¶[0078]). Thus, while *Nojima* discloses an update starting function that updates data content of a file to be accessed, the Examiner has not shown that *Nojima* also discloses

that the update starting function updates symbolic links to take into account any changes made to the access information, as recited in claim 1.

The Examiner also finds that “Nojima on page 7 paragraph [0097, lines 18-25] shows an example of link update” (Supp. Ans. 22). However, while Nojima discloses that “a link to a file . . . is deleted” and that “a file . . . is registered as a link [to] destination contents” (¶[0097]), the Examiner has not shown that Nojima also discloses that updating (i.e., deleting or otherwise changing) the links in Nojima takes into account any changes made to the access information that claim 1 recites as indicating which users have edit access to which files in the database. Indeed, the Examiner has not demonstrated that Nojima discloses changing access information at all.

Accordingly, we conclude that Appellants have met their burden of showing that the Examiner erred in rejecting independent claim 1. Therefore, we reverse the Examiner’s rejection of independent claim 1 as being unpatentable over Campbell, Kawaguchi, and Nojima.

Because independent claims 6, 11, and 14, and dependent claims 2-5, 7-10, 12, and 13, each recite equivalent limitations to those discussed above regarding independent claim 1, we also reverse the Examiner’s obviousness rejection of these claims 2-14.

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CONCLUSION OF LAW

Based on the findings of facts and analysis above, we conclude that Appellants have shown the Examiner erred in rejecting claims 1-14 under 35 U.S.C. § 103(a) for obviousness.

DECISION

The Examiner's rejection of claims 1-14 is Reversed.

REVERSED

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