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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/128,098	05/28/2008	Richard D. Dettinger	ROC920070004US1	9699
46797	7590	02/11/2016	EXAMINER	
Patterson & Sheridan, LLP 24 Greenway Plaza, Suite 1600 Houston, TX 77046			FISHER, PAUL R	
			ART UNIT	PAPER NUMBER
			3689	
			NOTIFICATION DATE	DELIVERY MODE
			02/11/2016	ELECTRONIC

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* RICHARD D. DETTINGER,  
FREDERICK A. KULACK,  
and ERIC W. WILL

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Appeal 2013–004554  
Application 12/128,098  
Technology Center 3600

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Before ANTON W. FETTING, PHILIP J. HOFFMANN, and  
BRADLEY B. BAYAT, *Administrative Patent Judges*.  
FETTING, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE<sup>1</sup>

Richard D. Dettinger, Frederick A. Kulack, and Eric W. Will  
(Appellants) seek review under 35 U.S.C. § 134 of the Final rejection of  
claims 1–24, the only claims pending in the application on appeal. We have  
jurisdiction over the appeal pursuant to 35 U.S.C. § 6(b).

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<sup>1</sup> Our decision will make reference to the Appellants’ Appeal Brief (“App. Br.,” filed October 8, 2012) and Reply Brief (“Reply Br.,” filed February 11, 2013), and the Examiner’s Answer (“Ans.,” mailed December 10, 2012), and Final Action (“Final Act.,” mailed May 7, 2012).

The Appellants invented a way of enforcing compliance with publishing rules. Specification para. 1.

An understanding of the invention can be derived from a reading of exemplary claim 1, which is reproduced below (bracketed matter and some paragraphing added).

1. A computer implemented method of generating a document processing workflow, comprising:

[1] receiving an unstructured document

which includes at least a publishing rule  
regarding documents intended for publication;

[2] parsing the unstructured document

to identify a set of terms included in the publishing rule;

[3] annotating each term with metadata

describing the term  
to create a structured pattern  
describing the publishing rule;

[4] comparing the structured pattern to a plurality of patterns

to identify a best-fit pattern from the plurality of  
patterns,

wherein each of the plurality of patterns pattern describes  
a workflow template;

[5] generating,

by operation of one or more computer processors,  
from the workflow template corresponding to the best-fit  
pattern,

a workflow for the structured pattern,

wherein the workflow specifies a sequence of steps to  
comply with the publishing rule;

and

[6] storing the generated workflow in a repository.

The Examiner relies upon the following prior art:

Huang	US 2001/0032218 A1	Oct. 18, 2001
Yehia	US 2002/0091614 A1	Jul. 11, 2002
Schunder	US 2004/0083119 A1	Apr. 29, 2004
Blackman	US 2008/0091458 A1	Apr. 17, 2008
Donde	WO 02/46997 A1	Jun. 13, 2002

Claims 1–4, 6, 7, 9–12, 14, 15, 17–20, 22, and 23 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Yehia, Donde, and Huang.

Claims 5, 13, and 21 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Yehia, Donde, Huang, and Schunder.

Claims 8, 16, and 24 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Yehia, Donde, Huang, and Blackman.

## ISSUES

The issues of obviousness turn primarily on whether Donde describes incorporating publishing rules within a document.

## FACTS PERTINENT TO THE ISSUES

The following enumerated Findings of Fact (FF) are believed to be supported by a preponderance of the evidence.

*Facts Related to the Prior Art*

*Yehia*

01. Yehia is directed to a management system for contracts. Yehia para. 4.

*Huang*

02. Huang is directed to document processing and electronic publishing systems and more particularly to generating structured documents with user-defined document type definitions. Huang converts unstructured documents for various presentations, wherein the unstructured documents are defined to be files composed, edited, or managed via an authoring application. Huang para. 3.

03. Huang converts an unstructured document into a structured document by parsing the document contents into data elements. Huang paras. 47 and 67.

*Donde*

04. Donde is directed to document management system. Donde 1:5.

05. Donde describes a document management system having documents stored in a memory and accessible over a network. Each document has a document identifier and a document network address. Donde's document management system also has a class hierarchy having a plurality of category nodes within a tree data structure; a publication rule base comprising a plurality of publication rules, one or more of the publication rules comprising

a document identifier, a category, and a publication period; and a publication manager arranged to retrieve one or more publication rules from the publication rule base and to publish each document identified in the rule during the publication period identified in the rule. Donde 2:5–12.

## ANALYSIS

The Examiner found that Huang describes converting unstructured documents into structured markup language documents by parsing content into document elements. Yehia describes extracting rules from such structured documents that are then implemented, and Huang describes having a publication rule among such rules, creating the rule by creating a table structure, which is a form of structured pattern, around the publication data fields, which is a form of annotation, and implementing the publication rule, which is a form of workflow. Final Act. 2–8.

We are persuaded by the Appellants’ argument that in Yehia

“publication rule” is stored in a database and applied to a whole document (document field 72), based on a category (category field 74) and specifying a time frame (start field 76 and end field 78). Donde demonstrates no knowledge of “parsing the unstructured document to identify a set of terms included in the publishing rule” and “annotating each term with metadata describing the term to create a structured pattern describing the publishing rule.” The database structure taught by Donde does not teach, or even suggest, this field level of metadata under which claim 1 applies a publication rule. . . .

Claim 1 recites “parsing the unstructured document to identify a set of terms included in the publishing rule” and “annotating each term with metadata describing the term to create a structured pattern describing the publishing rule.” Clearly the

“publishing rules” discussed in Donde do not teach these limitations of claim 1.

App. Br. 15–16. The Examiner’s finding that Donde describes publishing rules within a document is in error. The Examiner cites Donde 2:4–12. Final Act. 5. While one might get the impression of such a finding if this passage is read quickly, the passage actually states that it is Donde’s document management system, not the document that contains the rules. Donde does not describe obtaining those rules from a document per se.

All three independent claims contain similar limitations.

#### CONCLUSIONS OF LAW

The rejection of claims 1–4, 6, 7, 9–12, 14, 15, 17–20, 22, and 23 under 35 U.S.C. § 103(a) as unpatentable over Yehia, Donde, and Huang is improper.

The rejection of claims 5, 13, and 21 under 35 U.S.C. § 103(a) as unpatentable over Yehia, Donde, Huang, and Schunder is improper.

The rejection of claims 8, 16, and 24 under 35 U.S.C. § 103(a) as unpatentable over Yehia, Donde, Huang, and Blackman is improper.

#### DECISION

The rejection of claims 1–24 is reversed.

REVERSED

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