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

Paper No. 12

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PHILIP S. RESNIK, GARY R. ADAMS,
ROBERT J. KUHNS AND MARK C. TORRANCE

Appeal No. 2001-0728
Application No. 08/687,886

ON BRIEF

Before HAIRSTON, BARRETT, and LEVY, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1 through 30.

The disclosed invention relates to the conversion of a source language to a target language via multilingual assistance in a computer system.

Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A method executed in a computer system for providing multilingual assistance, the method comprising the steps of:

receiving text;

breaking the text into at least one piece;

identifying a source language in which each piece of the text is written; and

converting words or phrases in each piece of the text into equivalent words or phrases in a target language.

The references relied on by the examiner in prior art rejections are:

Hashimoto et al. (Hashimoto)	4,597,055	Jun. 24, 1986
Fujita	5,612,872	Mar. 18, 1997 (filed Apr. 12, 1995)
Brown et al. (Brown)	5,768,603	Jun. 16, 1998 (filed Jun. 2, 1995)

Claims 1 through 12 and 15 through 30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Brown.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Fujita.

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Fujita and Hashimoto.

Reference is made to the final rejection (paper number 8) the brief (paper number 10) and the answer (paper number 11) for the respective positions of the appellants and the examiner.

OPINION

For all of the reasons expressed by the examiner (final rejection, pages 3 through 14; answer, pages 5 through 17), and for the additional reasons set forth infra, we will sustain all of the rejections of record of claims 1 through 8, 10 through 19, 21 through 26 and 28 through 30. On the other hand, we will reverse the anticipation rejection of claims 9, 20 and 27.

Turning first to the anticipation rejection of claims 1, 15 and 22, we agree with the examiner that Brown teaches "automatically identifying the source language for the purpose of machine translation" (answer, page 5). In a first embodiment, Brown discloses a translation system that operates without human/user assistance (Abstract; column 9, lines 55 through 57; column 93, lines 8 through 13; Figure 4), and in a second embodiment, Brown discloses a "user-aided translation system" (column 10, lines 1 through 19; Figure 5). Appellants' arguments (brief, pages 5 through 8) to the contrary notwithstanding, Brown does teach in the first embodiment that the system, as opposed to the user, identifies the source language. Thus, the 35 U.S.C. § 102(e) rejection of claims 1, 15 and 22 is sustained. The 35 U.S.C. § 102(e) rejection of claims 2, 16, 23 and 29 is likewise sustained because appellants have chosen to let these claims stand or fall with claims 1, 15 and 22 (brief, page 4).

The 35 U.S.C. § 102(e) rejection of claim 3 is sustained because the French to English translation steps described throughout Brown will not occur if the source text is in English.

The 35 U.S.C. § 102(e) rejection of claims 4, 17 and 24 is sustained because we agree with the examiner (final rejection, pages 4 and 5; answer, pages 9 and 10) that the "dictionary" disclosed

by Brown (Figure 6) is an "index" because an index is broadly defined in the dictionary used by the examiner as a "list . . . arranged in alphabetical order . . . ." In fact, the same dictionary defines a "dictionary" as a reference source "giving for words of one language equivalents in another."

For all of the reasons expressed supra in connection with claims 3, 4, 17 and 24, the 35 U.S.C. § 102(e) rejection of claims 5 through 7, 18 and 25 is sustained.

Turning to claims 8, 19 and 26, appellants' argument (brief, pages 10 and 11) tying the claimed "links" to the Internet (e.g., hypertext link) is without merit since the claims on appeal are not limited to such a network. Of equal importance, the "links" in the noted claims are not limited to either changing of "hypertext link points" or pointing to "another location or document." We agree with the examiner that the broadly claimed "links" is readable on the linking of French text to the French intermediate structures (final rejection, page 7). After all, they are broadly linked to each other in the translation process. Accordingly, the 35 U.S.C. § 102(e) rejection of claims 8, 19 and 26 is sustained.

The 35 U.S.C. § 102(e) rejection of claims 9, 20 and 27 is reversed because we agree with the appellants' argument (brief, page 11) that the examiner has not successfully demonstrated that the so-called "anchors" in Brown have anything to do with "links" or "inserting one address in place of another."

With respect to claims 10, 21 and 28, the markers and markup in the text noted by the examiner (final rejection, pages 8 and 9) are "related to steps taken during the actual translating of a

document from a source language" (brief, pages 11 and 12). Thus, the 35 U.S.C. § 102(e) rejection of these claims is sustained.

Appellants' arguments (brief, page 12) to the contrary notwithstanding, Brown discloses "sequences of characters" (column 13, lines 1 through 26) and frequencies in a sample of words (column 30, lines 52 through 57) that are used in the overall translation system to identify the source language. As a result of such teachings, the 35 U.S.C. § 102(e) rejection of claim 11 is sustained.

Turning next to claim 12, Brown explicitly states that although French to English is discussed throughout the disclosure, other natural languages, artificial languages and programming languages are easily adaptable to the translation system (column 7, line 64 through column 8, line 7). For this reason, and the reasons expressed by the examiner (final rejection, pages 10 and 11), the 35 U.S.C. § 102(e) rejection of claim 12 is sustained.

The 35 U.S.C. § 102(e) rejection of claim 30 is sustained because Brown discloses that the computer platform 1014 is connected to an external network 1010 (Figure 10; column 12, lines 21 through 31).

The 35 U.S.C. § 103(a) rejection of claims 13 and 14 is sustained because as indicated supra Brown does "teach or suggest 'identifying a source language in which each piece of text is written'" in an automatic manner (brief, pages 15 and 16), and because the examiner has set forth credible reasons (final rejection, pages 13 and 14) why the skilled artisan would have combined the teachings of the references.

DECISION

The decision of the examiner rejecting claims 1 through 12 and 15 through 30 under 35 U.S.C. § 102(e) is affirmed as to claims 1 through 8, 10 through 12, 15 through 19, 21 through 26 and 28 through 30, and is reversed as to claims 9, 20 and 27. The decision of the examiner rejecting claims 13 and 14 under 35 U.S.C. § 103(a) is affirmed. Accordingly, the decision of the examiner is affirmed-in-part.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED-IN-PART

KENNETH W. HAIRSTON Administrative Patent Judge	)
LEE E. BARRETT Administrative Patent Judge	) BOARD OF PATENT) APPEALS) AND) INTERFERENCES
STUART S. LEVY Administrative Patent Judge	)

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