Paper No. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte VINOJ N. KUMAR, ISABELLE M. ROUVELLOU,
and DONALD F. FERGUSON

Appeal No. 2001-1270
Application No. 08/619,060

ON BRIEF

Before KRASS, BLANKENSHIP, and SAADAT, Administrative Patent Judges.

BLANKENSHIP, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the examiner's final rejection of claims 1, 5-11, 15-21, and 25-30, which are all the claims remaining in the application.

We reverse.

BACKGROUND

The invention is directed to method and apparatus for controlling object searching within a distributed object computing system environment. Claim 1 is reproduced below.

> 1. An information-handling system operable within a distributed object computing system environment (DOCE), comprising:
>
> one or more processors;
>
> a storage system;
>
> one or more input/output (I/O) controllers;
>
> a system bus connecting said processors, the storage system, and the I/O controller;
>
> an operating system program for controlling operation of the information handling system; and
>
> an object-based program operating in association with the operating system program for controlling object searching in a constraint-based filtering mode within said DOCE; said object-based program further comprising:
>
> means for providing hierarchical storage of a name/binding value during a search;
>
> means for providing the addition of properties as name/value pair sequence to each node within a tree search conducted by said object-based program;
>
> means for providing recursive searching of a group of properties.

The examiner relies on the following reference:

Nelson et al. (Nelson)	5,577,252	Nov. 19, 1996 (filed Jul. 28, 1993)

Claims 1, 5-11, 15-21, and 25-30 stand rejected under 35 U.S.C. § 102 as being anticipated by Nelson. Another rejection under 35 U.S.C. § 102 over different prior art has been withdrawn by the examiner in the Examiner's Answer.

We refer to the Final Rejection (Paper No. 7) and the Examiner's Answer (Paper No. 14) for a statement of the examiner's position and to the Brief (Paper No. 13) for appellants' position with respect to the claims which stand rejected.

OPINION

"Anticipation is established only when a single prior art reference discloses, expressly or under principles of inherency, each and every element of a claimed invention." RCA Corp. v. Applied Digital Data Sys., Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984).

In response to the section 102 rejection of all remaining claims as being anticipated by Nelson, appellants argue, inter alia, there is no tree search in Nelson as required by the claims: i.e., as in claim 1, "providing the addition of properties as name/value pair sequence to each node within a tree search conducted by said object-based program." This is so, appellants argue, because in Nelson the names are already bound to the objects; the context object contains an access control list (ACL) so that the client need merely search on the bound name. (Brief at 6.)

The examiner responds that the objects connected to sub-objects in Figures 4 and 5 of the reference are deemed to be essentially organized as a tree. Resolving paths of this "tree" is deemed to involve a tree search. (Answer at 7.)

The statement of the rejection of claim 1 (id. at 3-4) refers to column 5, lines 46 through 55 and column 14, lines 29 through 49 for the claimed "means for providing the addition of properties" and column 6, lines 35 through 53 and column 15, lines 26 through 34 for the claimed "means for providing recursive searching." The reference to the material at columns 14 and 15 is an apparent error, however. We take the correct citations to be column 6, lines 1 through 45 and column 8, line 39 through column 9, line 47, as explained in the Advisory Action mailed June 15, 1998 (Paper No. 9).

In any event, we have studied the entire reference, with particular emphasis on all sections pointed out in the Answer and the Advisory Action, but do not find disclosure of searching as claimed by appellants. A context object (e.g., object C; Nelson Fig. 4) contains data including a "binding list" that relates a name and an object. Col. 5, ll. 46-54. As shown in Figure 5, a client may access an object named "J" by requesting context D to resolve the name "C/J." Name server A processes the request by resolving the name "C" to obtain context object C and then resolving the name "J" within context object C to obtain object J. The name server returns a duplicate of object J. Col. 6, ll. 45-52.

Instant claim 1 requires providing the addition of properties "as name/value pair sequence to each node within a tree search" and "recursive searching of a group of

properties." Appellants provide an example of a name/value pair in the instant specification. "The property named 'class' is accessed by name and its value is checked against the string 'dog.'" (Spec. at 10, ll. 19-20.) In accordance with the language of claim 1, we interpret the claim as requiring the addition of properties to each node, provided as the name of a property and the value of the property, within a tree search conducted by an object-based program.

The Answer asserts (at 5) that "[r]esolving the name value for an object is deemed to search for properties of an object which are bound in the access control list ('ACL')." However, according to the reference, the binding list in a context object binds an object to a name. See, e.g., col. 5, ll. 46-55. An access control list, on the other hand, determines if a principal (i.e., a user; col. 4, l. 65 - col. 5, l. 4) has access rights to an object. See, e.g., col. 5, ll. 12-15 and ll. 58-61; col. 6, ll. 8-22.

Thus, in our view, while a context object in Nelson may contain a binding list to associate an object and a name and an access control list that determines if a principal may access an object, neither the binding list nor the access control list, nor any combination of the two, may be deemed a name/value pair sequence as claimed.

We are thus persuaded by appellants that the finding of anticipation with respect to claim 1 is erroneous. Independent claim 11 contains language identical to claim 1 with respect to "means for providing the addition of properties." The remaining independent claim (21) requires "providing the addition of properties as name/value pair sequence to each node within a tree search conducted by said object-based program."

Since not all limitations of the respective independent claims are shown to be expressly or inherently within Nelson, we do not sustain the section 102 rejection of claims 1, 5-11, 15-21, and 25-30.

CONCLUSION

The rejection of claims 1, 5-11, 15-21, and 25-30 under 35 U.S.C. § 102 is reversed.

REVERSED

ERROL A. KRASS Administrative Patent Judge	)
HOWARD B. BLANKENSHIP Administrative Patent Judge	) BOARD OF PATENT) APPEALS) AND) INTERFERENCES
MAHSHID D. SAADAT Administrative Patent Judge	)

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