

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board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. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SELIM Z. ANTOUN

Appeal No. 1998-3419
Application 08/571,644

ON BRIEF

Before THOMAS, KRASS and LALL, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1-26, all of the pending claims.

The invention is directed to the processing of client request from a server. More particularly, the server associates a key with the request and transmits the key to the client in a return message. Upon receiving the key, the client terminates the client-server session, which terminates the communication link. With the session terminated, the server processes the client request and generates a result for the client but, rather than sending a message reporting the result to the client, the server stores the result with the key associated with the request. When the client wishes, the client re-establishes the

session and sends a message containing the key to the server and the server parses the message, identifies the key, retrieves the stored result, and transmits the result to the client. Thus, connection time while processing a request is eliminated with the attendant cost savings.

Representative independent claim 1 is reproduced as follows:

1. A method of providing connectionless processing of client requests of a server, including the steps of:
 - (a) forming a client-server connection;
 - (b) transmitting a request from a client to a server;
 - (c) associating a key with the request for identifying the request;
 - (d) terminating the client-server connection;
 - (e) processing the request and producing a result at the server; and
 - (f) storing the result at the server for later reporting to the client when the client identifies the request by the associated key.

The examiner relies on the following reference:

Earle 5,262,942 Nov. 16, 1993

Claims 1-26 stand rejected under 35 U.S.C. 102(b) as anticipated by Earle.

Reference is made to the briefs and answer for the respective positions of appellant and the examiner.

OPINION

The examiner applies Earle to independent claim 1 as follows: The clients are indicated as the shareholders, 100, in Earle and the host system is identified by the examiner as the claimed server. The examiner identifies column 8, lines 46-47 of Earle, i.e., the shareholder “utilizes a communications link with the Client Service and

Administration (CSA) system 110 and transmits the instruction,” as the claimed “forming a client-server connection” and “transmitting a request from a client to a server.”

Column 8, lines 60-62, of Earle recites that “[o]nce an instruction has been received and validated, the CSA 110 will assign a transaction number to that instruction.” The examiner contends that this teaches the claimed “associating a key with the request for identifying the request.”

As for the claimed step of “terminating the client-server connection,” the examiner contends that this is “inherent, implied from the subsequent inquiry of status and from the type of transaction that require [sic] indeterminable time for processing” [answer-page 4].

With regard to the claimed step of “processing the request and producing a result at the server,” the examiner relies on column 9, line 40, of Earle, which states that a communication is provided “to acknowledge completed transactions” and then a confirmation is sent.. Finally, with regard to the last claimed step of “storing the result at the server for later reporting...,” the examiner relies on column 6, line 45, of Earle, wherein it is stated that workstations are used “for data entry, to receive confirmations and to make inquiries regarding transaction status...”

Appellant’s position is that Earle does not teach that a second client-server connection is formed after terminating a first client-server connection in order to obtain a result of a request from the server. Appellant also contends that Earle does not teach that the “client identifies the request by the associated key” in order to obtain the result from the server. Further, appellant contends that Earle’s server does not store the result for

later reporting to the client upon receipt from the client of the associated key, as does the instant claimed invention.

We agree with appellant.

While Earle's financial transaction system has many features in common with the instant claimed invention, such as forming a client-server connection, transmitting a request from the client to the server and associating a "key" [a "transaction number" in Earle] with a request, Earle simply fails to teach other claim limitations. While Earle does, "inherently," disclose a termination of the client-server connection, as alleged by the examiner, because the connection must be severed at some time, the instant claims require that a certain order of steps takes place. For example, in instant claim 1, after termination of the connection, the request is processed and a result is produced which is then stored for reporting to the client at some later time when the client identifies the request by the associated key.

The examiner contends that the termination of the connection is inherent from a subsequent inquiry of status in Earle. The examiner then points to column 9, line 40 of Earle to show that a request is processed and a result is produced. Finally, the examiner points to column 6, line 45 of Earle for a teaching of storing the result and to column 10, line 24 ; column 14, line 63 and column 15, line 2 of Earle to show the client identifies the request by the associated key. Column 9, line 40 refers to acknowledging completed transactions. Column 6, line 45 refers to the client using the workstation for making inquiries regarding transaction status. Column 10, line 24+ refers to sending a transaction number to the client as a confirmation that the instruction has been accepted and for tracking purposes. Column 14, line 63, and column 15, line 2 constitute a merely

repetitive teaching that the workstation is a device for making inquiries regarding the status of a transaction .

While Earle teaches a client able to make inquiries as to a transaction “status,” this status is not a “result” of processing. Status merely indicates the processing is at a certain, present point. It does not indicate a “result” of that processing, as required by the instant claims. We hold, in the instant case, and consistent with appellant’s argument and disclosure, that a “result” of processing does not include the “status” of the process.

In Earle, all communication from the server to the client appears to be by e-mail to the client’s mailbox. See, for example, column 6, lines 54-56, column 8, line 58, column 9, lines 20-21, column 10, lines 23-25, 40 and 64-65. Thus, it would appear that in Earle, even if some “result” might be stored at the server for later reporting, that reporting is made available to the client via e-mail and any “result” is not stored at the server awaiting inquiry from the client via identifying a request by the associated key, as claimed.

While the instant claimed invention permits the client to close the client-server connection, thus saving the cost of maintaining the connection, and have the processing of an inquiry continue after such connection termination, with the client making inquiry at a later time, using a key associated with the initial inquiry, Earle has no clear teaching of processing a client’s request after termination of a client-server connection, producing a result and storing that result at the server for later reporting to the client when the client identifies the request by the associated key.

One might consider that Earle processes a request after a client-server connection is terminated and produces and stores a “result” at the server end because the e-mail

message sent to the client is most assuredly also stored at the server. But even in this case, the client would merely open the e-mail at the client end to observe those “results.” The client might even need a password to obtain entry into the e-mail account but there would appear to be no need for the client to identify the request by the associated key in order to gain access to the e-mail message. Thus, even with such a broad, and not unreasonable, interpretation of the instant claim language, Earle would still appear to lack the teaching of the client employing the associated key in order to obtain the results stored at the server.

Since a rejection under 35 U.S.C. 102 requires the prior art reference to teach all of the claimed elements in the proper order or functional relationship, we cannot say that Earle anticipates the instant claimed subject matter.

Accordingly, the examiner’s decision rejecting claims 1-26 under 35 U.S.C. 102(b) is reversed.

REVERSED

JAMES D. THOMAS)	
Administrative Patent Judge)	
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ERROL A. KRASS)	BOARD OF PATENT
Administrative Patent Judge)	APPEAL AND
)	INTERFERENCES
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JD/RWK

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