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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte SABINE DINGFELDER and DIETER SCHNEIDER¹

Appeal 2015-004526
Application 12/707,753
Technology Center 2400

Before ERIC S. FRAHM, KRISTEN L. DROESCH, and
JOHN D. HAMANN, *Administrative Patent Judges*.

DROESCH, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants seek review under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–12, which constitute all the claims pending in this application. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

BACKGROUND

The disclosed invention relates to providing access authorization in an industrial automation system. *See Spec.* ¶¶ 3–9, Abstract. Representative

¹ Appellants indicate the real party-in-interest is Siemens AG. App. Br. 2.

claim 1, reproduced from the Claims Appendix of the Appeal Brief, reads as follows (disputed limitations in *italics*):

1. A method for granting authorization to use a function in an industrial automation system comprising a plurality of networked control units, the method comprising:
providing functions of the industrial automation system by services of each of said plural networked control units;
separating service-side interfaces inside a client/service architecture into interfaces which provide security-critical functions and interfaces which provide functions that are not critical to security; and
hiding the separated service-side interfaces from client applications by a client-side interface in which the service-side interfaces are recorded;
wherein the functions provided by the services of each of said plural networked control units are callable solely over the client-side interface.

REJECTION

Claims 1–12 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Eldridge et al. (US 2009/0118846 A1; published May 7, 2009) (“Eldridge”) and Lingua et al. (US 2002/0095229 A1; published July 18, 2002) (“Lingua”).

ISSUE

Did the Examiner err in finding the combination of Eldridge and Lingua teach or suggest “separating service-side interfaces inside a client/service architecture into interfaces which provide security-critical functions and interfaces which provide functions that are not critical to security,” as recited in claim 1, and recited similarly in independent claim 12?

ANALYSIS

We have reviewed the Examiner's rejection in light of Appellants' arguments in the Appeal Brief, the Examiner's Answer, and the arguments in the Reply Brief. We disagree with Appellants' contentions. We agree with, and adopt as our own, the Examiner's findings and conclusions of law. We highlight the following findings and arguments below for emphasis.

Appellants argue that Eldridge provides no description whatsoever of separating interfaces in a client/service architecture into different function specific interfaces. *See* App. Br. 5–6 (citing Eldridge ¶¶ 51–52); Reply Br. 3–4 (citing Eldridge ¶¶ 44–52). Appellants assert that Eldridge's teachings of assigning different functions in a hierarchy to control/manipulate field devices, coordinate functions of control modules, and/or orchestrate all processing activities such as scheduling and/or preparing and monitoring equipment and resources, have nothing to do with the disputed claim limitations. *See* App. Br. 5–6; Reply Br. 3–5. Appellants further contend that although Eldridge provides users with different security levels, it does not follow that a service side interface is separated into two separate function specific interfaces. *See* App. Br. 5 (citing Eldridge ¶¶ 51–52); Reply Br. 4 (citing Eldridge ¶¶ 44–52).

Appellants' arguments are not persuasive because they fail to address sufficiently the Examiner's following findings: (1) that if a supervisor is needed to perform a restricted operation (security critical) by logging in, there is an interface which allows the supervisor to input information (citing Eldridge ¶ 52); (2) Eldridge's disclosure of allowing a regular user to require a supervisor to log in via a log-in dialog to provide functions that are not permitted to a regular user indicates that there are different functions for

different levels of user security (citing Eldridge ¶¶ 833–836); and (3) when a higher level security function is only available to the higher level security personnel, when a supervisor logs in, there is an interface in which the supervisor is allowed to input security credentials to view functions that are separate of a normal user (citing Eldridge ¶¶ 833–836). *See* Ans. 7–8. To the extent Appellants argue, based on reproducing Figure 2 and paragraph 17 of Appellants’ Specification (*see* Reply Br. 2), that the service-side interfaces must be physically separated, we are not persuaded. Claims 1 and 12 do not impart additional restrictions on the type of separation, such as, e.g., logical separation, physical separation, time separation. Thus, we agree with and adopt as our own the Examiner’s finding that Eldridge teaches or suggests a first low security interface for a regular user, and a separate security critical interface for a supervisor requiring authentication via a log-in dialog. *See* Ans. 6–8 (citing Eldridge ¶¶ 44–52, 833–836).

For all of these reasons, Appellants do not persuade us of error in the rejection of claims 1–12.

DECISION

We AFFIRM the rejection of claims 1–12.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED