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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte TETSURO MOTOYAMA and AVERY FONG

Appeal 2014-001065[1]
Application 12/122,497[2]
Technology Center 3600

Before NINA L. MEDLOCK, KENNETH G. SCHOPFER, and TARA L. HUTCHINGS, *Administrative Patent Judges*.

HUTCHINGS, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1–12. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

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[1] Our decision references Appellants' Appeal Brief ("App. Br.," filed July 1, 2013) and Reply Brief ("Reply Br.," filed Oct. 15, 2013), and the Examiner's Answer ("Ans.," mailed Aug. 15, 2013) and Final Office Action ("Final Act.," mailed Feb. 25, 2013).

[2] Appellants identify Ricoh Company, Ltd. as the real party in interest. App. Br. 2.

CLAIMED INVENTION

Appellants' claimed invention "relates generally to project management [and,] more specifically[,] to managing project schedule data using separate current and historical task schedule data and to-do list representations for project schedule data." Spec. ¶ 3.

Claim 1, reproduced below, is illustrative of the subject matter on appeal:

> 1. A computer-implemented method for managing project-schedule data, the computer-implemented method comprising:
>
> receiving, from a user via a member schedule editor, a request to create a task in a project;
>
> prior to schedule data being specified for the task,
>
> generating task data that identifies the task in the project, wherein the task data has a value that indicates whether the task is a project task or a non-project task, and
>
> storing the task data for the task in a data repository of a computer system, and the computer system generating and storing in the data repository of the computer system in association with the task data, revision data having a value that indicates that the task associated with the task data does not currently have any associated schedule data and is a to-do list task;
>
> a project member assigned to perform the task using the member schedule editor to:
>
> specify and change schedule data for the task,
>
> define one or more sub-tasks for the task, and
>
> define one or more non-project tasks; and
>
> the member schedule editor:
>
> displaying one or more tasks that are both assigned at least to the user and are not yet completed,

using the value of the revision data to determine whether to display the task as a to-do list task or a non-to-do list task,

using the value of the task data to determine whether to display the task as a project task or a non-project task, and

in response to a project member assigned to perform the task using the member schedule editor to specify and change schedule data for the task:

generating and storing, in the data repository of the computer system, the schedule data for the task, and

updating the value of the revision data stored in association with the task data to indicate that the task now has associated schedule data and is a non-to-do list task.

REJECTIONS

Claims 1, 2, 4–6, 8–10, and 12 are rejected under 35 U.S.C. § 103(a) as unpatentable over Chaffee (US 2008/0201713 A1, pub. Aug. 21, 2008), Brintle (US 2007/0282658 A1, pub. Dec. 6, 2007), and York (US 2008/0301296 A1, pub. Dec. 4, 2008).

Claims 3, 7, and 11 are rejected under 35 U.S.C. § 103(a) as unpatentable over Chaffee, Brintle, York, and Nonaka (US 7,269,798 B2, iss. Sept. 11, 2007).

ANALYSIS

Independent Claim 1, and Dependent Claims 2 and 4

We are persuaded by Appellants' argument that the Examiner erred in rejecting claim 1 under 35 U.S.C. § 103(a) because Chaffee does not teach or suggest "prior to schedule data being specified for the task . . . generating and storing . . . revision data having a value that indicates that the task associated with the task data does not currently have any associated schedule

data and is a to-do task," as recited in claim 1. App. Br. 5–6. In the Final Action, the Examiner relies on Chaffee as disclosing the argued limitation. Final Act. 5 (citing Chaffee ¶¶ 21–28).

Chaffee is directed to a method and apparatus for managing tasks. Chaffee ¶ 2. Figure 1 of Chaffee shows a block diagram of a list 100 of tasks 101–110 assigned to time segments 191–194. *Id.* ¶ 10, Fig. 1. A user ranks tasks 101–110 in an order that the tasks are planned to be performed. *Id.* ¶ 21, Fig. 1. As shown in Figure 1, some tasks have a task cost that indicates the resources required to complete the task relative to the other tasks in the list. *Id.* ¶ 22, Fig. 1. For example, a task assigned a task cost of five is expected to take five times as much resources as a task assigned a task cost of one. *Id.* ¶ 24. A planned velocity is used to indicate the rate at which task costs are completed per time segment, i.e., a uniform period of time, such as a week. *Id.* ¶ 25. Each task is dynamically assigned in the order of the list to a sequence of time segments, and the velocity of a time segment is the sum of the task costs of the tasks in that time segment. *Id.* ¶ 26. The tasks are assigned until assigning the next task in list 100 would make the velocity for that segment exceed the planned velocity. *Id.* ¶ 27. As shown in Figure 1, tasks 101 and 102 are assigned to time segment 191, and tasks 105, 106, and 107 are assigned to time segment 193.

In rejecting claim 1 under 35 U.S.C. § 103(a), the Examiner finds that Chaffee describes, at paragraphs 21–28, associating each task with a priority, resource, and cost prior to assigning the task to a particular time segment. Final Act. 5. Chaffee describes ranking tasks in order of performance and assigning each task cost when assigning the tasks to time segments. *See* Chaffee ¶¶ 21–28, Fig. 1. But we do not find any description in Chaffee that

discloses or suggests "prior to schedule data being specified for the task . . . generating and storing . . . revision data having a value that indicates that the task associated with the task data does not currently have any associated schedule data and is a to-do list task," as recited in claim 1.

In response, the Examiner finds that "[t]he teachings of Chaffee would have suggested to one of ordinary skill in the art to use a revision data to indicate current scheduling status and whether the task is a to-do list." Ans. 11. In this regard, the Examiner finds that Figure 1 of Chaffee "shows a list of task[s] that [are] currently in an initial state without any current schedule data[,] i.e.[,] without a specific starting time or end time for the tasks." Ans. 11. The Examiner also finds that paragraphs 21–38 of Chaffee teach that each task in the database can be associated with priority data, such as a Boolean, indicating the task's importance. *Id.* And the Examiner finds that paragraphs 64–67 of Chaffee describe status indicators for the tasks, such as an unstarted state or a started state.

However, Figure 1 of Chaffee shows list 100 of tasks 101–110 assigned to particular time segments 191–194 for completion, i.e., schedule data. Chaffee, Fig. 1, ¶ 28. Each time segment corresponds to a uniform period of time, such as a week. *Id.* ¶ 25. Moreover, the order of the tasks and associated time segments indicate the order for performing the tasks. *See id.* ¶¶ 21, 28, Fig. 1. Thus, we find a time segment, as described by Chaffee, constitutes schedule data for the tasks associated with the time segment. We find nothing in the portions of Chaffee cited by the Examiner in the Answer that discloses or suggests "revision data having a value that indicates the task associated with the task data does not have any associated schedule data," as recited in claim 1.

In the Answer, the Examiner additionally relies on York at paragraphs 82–86 as "suggest[ing] that a task can be labeled with a different revision value i.e., pending with schedule – scheduled and non-to-do, active/start with schedule – scheduled and to do." Ans. 11–12. And the Examiner determines that the cited prior art "shows that using revision data value to indicate a task's status is old and well known."

York relates to a system and method for providing automated task creation and delegation, and an analysis tool for processing task information and data. York ¶ 2. In the method of York, a user elects to change the status of a task from pending, start, active, work-in-progress, or to complete. *Id.* ¶¶ 83–84. The user elects to view information or generate reports on tracking and trending of task status and completion. *Id.* ¶ 85. Yet we fail to see how or why, and the Examiner does not adequately explain how or why, a user changing a status of a task, whether considered alone or in combination with Chaffee, discloses or suggests "prior to schedule data being specified for the task . . . generating and storing . . . revision data having a value that indicates that the task associated with the task data does not currently have any associated schedule data and is a to-do list task," as recited in claim 1.

In view of the foregoing, we do not sustain the Examiner's rejection of claim 1 and claims 2 and 4, which depend therefrom, under 35 U.S.C. § 103(a).

Independent Claims 5 and 9, and Dependent Claims 6, 8, 10, and 12

Independent claims 5 and 9 include language substantially similar to the language of claim 1, and stand rejected based on the same erroneous findings applied with respect to claim 1. Final Act. 8–9. Therefore, we do

not sustain the Examiner's rejection of independent claims 5 and 9 and claims 6, 8, 10, and 12, which depend therefrom, under 35 U.S.C. § 103(a) for the same reasons set forth with respect to claim 1.

Dependent Claims 3, 7, and 11

Claims 3, 7, and 11 each ultimately depends from independent claims 1, 5, and 9, respectively. The Examiner's rejection of claims 3, 7, and 11 based on Nonaka, in combination with Chaffee and York, does not cure the deficiency in the Examiner's rejection of claims 1, 5, and 9. Therefore, we do not sustain the Examiner's rejection of claims 3, 7, and 11 under 35 U.S.C. § 103(a) for the same reasons set forth above with respect to claims 1, 5, and 9.

DECISION

The Examiner's rejections of claims 1–12 under 35 U.S.C. § 103(a) are reversed.

REVERSED