OIPE
DEC 1 6 2003
PATENT & TRADEMARK OFFICE
JC98

#9D
12/22/03
A.V.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

RITCHIE et al

Atty. Ref.: 1561-77; Confirmation No. 7837

Appl. No. 09/920,803

Group: 2175

Filed: August 3, 2001

Examiner: C. Rones

For: SERVING SIGNALS

RECEIVED
DEC 1 8 2003
Technology Center 2100

* * * * * * * * * * *

December 16, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

In response to the Office Action dated 09/17,2003, please amend the above-identified application as shown below:

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

2. (Currently Amended) A serving device for serving pages of viewable data to browsing devices connected to a network, wherein a page of said viewable data comprises content data defining text and/or graphics and formatting data which specifies locations of said text and/or graphics within a page, and said viewable data is displayed at a browsing device, said serving device comprising:

identifying means for identifying requests from browsing devices that define a request for specified content data;

data storage means storing content data; and

processing means configured ~~to~~such that, in response to said identifying means identifying a request for specified content data, said processing means:

(a) selects content data from said storage means in dependence of the content data specified in a request received by said identifying means;

(b) receives format identifiers identifying the type of formatting required;

(c) executes a first set of functions to generate viewable data comprising said selected content data and first formatting data when a first ~~formal~~format identifier is received; and

(d) executes a second set of functions to generate viewable data comprising said selected content data and second formatting data when a second format identifier is received,

~~whereby~~such that viewable data is served to a browser for display with a ~~format~~locations of said text and/or graphics which depends upon the particular format identifier received by the processing means.

3. (Currently Amended) A serving device as in claim ~~21~~2 wherein said format identifiers are received from browsing devices with said requests for specified content data, such that viewable data is served to a browsing device for display with a first format when a first format identifier is received from said browsing device, and a second format when a second format identifier is received from said browsing device.

Claim 4 - cancelled.

5. (Currently Amended) A serving device as in claim ~~21~~2 wherein:

said serving device further comprises a user database comprising data relating to user preferences, and

said identifying means is further configured to receive a user identifier with said request for specified content data, and

said processing means is configured to:

read specified user data from said user database, such that said specified user data corresponds to a received user identifier; and

select content data in dependence of said read data.

6. (Currently Amended) A serving device as in claim ~~2~~5 wherein said information relating to user preferences is identified by users.

7. (Currently Amended) A serving device as in claim ~~2~~5 wherein said information relating to user preferences is determined from a history of usage by users.

8. (Currently Amended) A serving device as in claim ~~2~~1 wherein:

said serving device further comprises a user database comprising information relating to user preferences and a text database which has an index;

said identifying means is further configured to receive a user identifier with said request for specified content data; and

said processing means is configured to:

read data from said user database in response to a received user identifier; and

adjust the index of said text database in response to said user information, such that said selected content data is dependent upon a received user identifier.

9. (Currently Amended) A serving device as in claim ~~2~~1 wherein:

said serving device further comprises a user database comprising information relating to user preferences, and a graphics database which has an index;

said identifying means is further configured to receive a user identifier with said request for specified content data; and

said processing means is configured to:

read data from said user database in response to a received user identifier; and

adjust the index of said graphics database in response to said user information, such that said selected content data is dependent upon a received user identifier.

10. (Currently Amended) A serving device as in claim ~~21~~2 wherein said serving device further comprises:

a function database comprising a plurality of sets of functions including said first set of functions and said second set of functions; and

a user database comprising information relating to user preferences, wherein said identifying means is configured to receive a user identifier with said request for specified content data, and

said processing means is configured to:

(a) read user preference information from said user database in response to a received user identifier; and

(b) select a set of functions from said function database in dependence upon said received format identifier and said read user information.

11. (Currently Amended) A serving device as in claim ~~21~~2 further comprising:

a user database comprising information relating to user preferences; and a function database containing a plurality of sets of functions and an index,

said identifying means is configured to receive a user identifier with said request for specified content data; and

said processing means is configured to:

read specific user preference information from said user database in response to a received user identifier;

adjust the relationship between said index and said sets of functions within said function database in response to said specific user preference information; and

select a set of functions from said function storage means in dependence upon said received format identifier,

whereby said selected set of functions depends upon said specific user information.

12. (Currently Amended) A serving device as in claim ~~21~~2 wherein said data storage means storing content data is a content database and said serving device further comprises a separate function database comprising a plurality of sets of functions

including said first set of functions and said second set of functions, whereby said content database may be edited before said processing means combines said content data with formatting data to generate viewable data.

13. (Currently Amended) A serving device as in claim ~~21~~2 wherein said viewable data is HTML (hypertext markup language) data, and said first and second formatting data comprise of HTML tags.

14. (Currently Amended) A method of serving pages of viewable data to browsing devices connected to a network, wherein said viewable data contains content data defining text and/or graphics and formatting data which specifies locations of said text and/or graphics within a page, and said viewable data is displayed at a browsing device, said method comprising the steps of:

(a) storing content data in a storage means; and

(b) identifying requests from browsing devices at an identifying means that define a request for specified content data;

and then, in response to identifying a request for specified content data:

(c) selecting content data from said storage means in dependence of the content data specified in a request received by said identifying means;

(d) receiving format identifiers identifying the type of formatting required;

(e) executing a first set of functions to generate viewable data comprising said selected content data and first formatting data when a first format identifier is received; and

(f) executing a second set of functions to generate viewable data comprising said selected content data and second formatting data when a second format identifier is received,

~~whereby~~such that viewable data is served to a browser for display with ~~a format~~locations of said text and/or graphics which depends upon the particular format identifier received by the processing means.

15. (Currently Amended) A serving device for serving pages of viewable data to browsing devices connected to a network, wherein a page of said viewable data comprises content data defining text and/or graphics and formatting data which specifies locations of said text and/or graphics within a page, and said viewable data is displayed at a browsing device ~~in a format which~~such that locations of said text and/or graphics depends on said formatting data, said serving device comprising:

identifying means for identifying requests from browsing devices that define a request for specified content data;

data storage means storing content data;

function storage means storing executable functions; and

processing means configured ~~to~~such that, in response to said identifying means identifying a request for specified content data, said processing means:

(a) selects content data from said data storage means in dependence upon the content data specified in a request received by said identifying means;

(b) receives format identifiers identifying the type of formatting required;

(c) selects a set of functions from said function storage means in dependence upon a received format identifier; and

(d) executes said set of functions to generate viewable data comprising said selected content data and formatting data.

16. (Currently Amended) A serving device as in claim ~~3~~415 wherein said format identifier is received via said identifying means with said request for specified content data, whereby viewable data is served to a browser for display with a format which depends upon the particular format identifier received from said browser.

Claim 17 - Cancelled.

18. (Currently Amended) A serving device as in claim ~~3~~415 further comprising a user database comprising information relating to user preferences, wherein said identifying means is configured to receive a user identifier with said request for specified content data, and said processing means is configured to:

read user preference information from said user database in response to a received user identifier; and

select a set of functions from said function storage means in dependence upon said received format identifier and said read user information.

19. (Currently Amended) A serving device as in claim ~~34~~15 wherein said viewable data is HTML (hypertext markup language) data, and said formatting data comprise of HTML tags.

20. (Currently Amended) A method of serving viewable data to browsing devices connected to a network, wherein said viewable data contains content data defining text and/or graphics and formatting data which specifies locations of said text and/or graphics within a page, and said viewable data is displayed at a browsing device ~~in a format which~~such that locations of said text and/or graphics depends on said formatting data, said method comprising the steps of:

(a) identifying requests from browsing devices that define a request for specified content data;

(b) storing content data within data storage means;

storing executable functions within function storage means; and

(c) selecting content data from said data storage means in dependence upon the content data specified in a request from a browsing device;

(d) receiving format identifiers identifying the type of formatting required;

(e) selecting a set of functions from said function storage means in dependence upon a received format identifier; and

(f) executing said set of functions to generate viewable data comprising said selected content data and formatting data.

21. (Currently Amended) A serving device for serving HTML (hypertext markup language) data to browsing devices connected to a network, wherein said HTML data comprises content data and formatting data and said HTML data is displayed at a browsing device, said serving device comprising:

identifying means for identifying requests from browsing devices that define a request for specified content data;

a database containing a plurality of content data; and

processing means configured ~~to~~such that, in response to said identifying means identifying a request for specified content data, said processing means:

(a) selects content data from said database in dependence of the content data specified in a request received by said identifying means;

(b) receives format identifiers;

(c) executes a first set of functions to generate second HTML data comprising said selected content data and first formatting data when a first format identifier is received,

(d) execute a second set of functions to generate second HTML data comprising said selected content data and second formatting data when a second format identifier is received,

~~whereby~~so that HTML data is served to a browser for display with a format which depends upon the particular format identifier received by the processing means.--

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

As requested by the Examiner, the pending claims have now been re-numbered and treated herein and hereafter as claims 2-21.

The rejection of all claims 2-21 under 35 U.S.C. §102 as allegedly anticipated by Wolff '413 is respectfully traversed.

Applicant has described and claimed an arrangement whereby two different clients requesting the same content data from the same server may receive differently formatted versions of that same content data depending upon a particular format identifier received from each respective client at the server. In particular, applicant's claimed different formats relate, inter alia, to different locations of the content text/graphics on a particular viewable page -- not to possibly different communication protocols. It appears that perhaps the Examiner has erroneously equated different communication protocols (e.g., HTTP or the facsimile G3 protocol) with the format of text/graphics on a viewable page - - merely because, in a quite different context, Wolff has chosen to use the word "format" to refer to a signalling protocol. As will be explained in more detail below, it is not believed that the cited Wolff reference in any way teaches serving the same text/graphic content in different viewable page formats - depending upon received requests incorporating respectively different format identifiers.

The applicant's invention relates to a serving device that serves pages of viewable data comprising content data and formatting data. The content data, itself, comprises text and/or graphics and these are located within the page as specified by the formatting data. Independent claims 2, 14, 15 and 20 have been amended to make this even more clear. In addition, these claims have been amended to make it clear that the viewable data is generated in response to a request for content data being identified.

Therefore, in claims 2 and 14, on receipt of a request for specified content data, a first set of functions is executed to generate selected content data with first formatting data when a first format identifier is received, and a second set of functions is executed to generate the same selected content data but with second formatting data when a second format identifier is received. Consequently, "viewable data is served to a browser for display with locations of the text and/or graphics which depend upon the particular format identifier received by the processing means".

Wolff discloses a device ("gateway") which identifies a request for a document from facsimile transmissions received from a user's fax machine. The "gateway" retrieves the requested document, typically from the World Wide Web, and then parses, formats and renders the documents (6:39-50) to create an image in G3 "fax" protocol (9:52-56) -- or "format" in the different Wolff context -- which it transmits to the requesting fax machine.

At 7:63-8:3, Wolff also discloses the "gateway" being used as a web server, in which it stores html documents, and on a request for such a document "the gateway sends it by fax or by normal "http" protocol to a requesting agent". However, although the requested documents is sent in different file signal transmission formats (using http protocol or G3 protocol), there is no suggestion that the layout of the page content being transmitted is different in either case. Thus, in contrast to the presently claimed invention, there is no mention of a server such that, "viewable data is served to a browser for display with locations of said text and/or graphics which depend upon the particular format identifier received by the processing means".

Furthermore, claim 2 requires that in response to identifying a request, a set of functions is executed to generate viewable data which comprises content data defining text and/or graphics and formatting data which specifies locations of said text and/or graphics within a page. Wolff only discloses the generation of viewable data having this type of structure at 7:28-54, when the gateway is used as a Web server. Here, it discloses the gateway parsing a fax image to create a new html document which it stores for publication on the Web. Thus, unlike the present invention, Wolff does not disclose such viewable data being generated in response to a request for content data being identified.

In conclusion, Wolff clearly does not anticipate claim 2.

Independent claims 14, 15 and 20 have been similarly amended, and consequently they are also considered novel for at least similar reasons.

Claim 21 has been amended to make it clear that an HTML document is generated in response to the identification of a request for specified content data. Thus, the HTML document is generated and served to a browser on receipt of a request from that browser. Wolff discloses (7:40-54) the generation of an HTML document which is stored at the gateway when the gateway is used as a Web server. However, there is no suggestion of generating an HTML document in response to a request from a browser for viewable data, as claimed in claim 21.

It should be noted claim 21 already refers to an HTML document being generated with differing formats depending upon the received format identifier. Thus, it is here already clear that the claimed format refers to the layout of the page rather than a type of file or signalling protocol.

Claims 4 and 17 have been deleted, because their subject matter has been included in claims from which they depend.

The Examiner's allegations of anticipation with respect to the dependent claims is also believed to be clearly erroneous for numerous reasons. However, in view of the above noted deficiencies, it is not believed necessary to further detail those reasons at this time.

The rejection of claim 7 under 35 U.S.C. §103 as allegedly made "obvious" based on the same single Wolff '413 reference is also respectfully traversed.

Fundamental deficiencies of Wolff have already been noted above with respect to parent claim 2. The Examiner's comments with respect to parent claim 5 (dependent from claim 2) are also believed to be erroneous. For example, the Examiner does not identify exactly what it is in the cited passages at columns 5, 6, 7 and 9 that arguably corresponds to a "received user identifier" or to "specified user data" or the like.

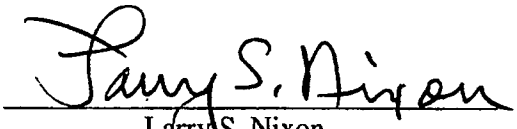
In any event, the Examiner admits that the Wolff '413 reference does not determine information relating to user preferences from a history of user usage. This admission is respectfully submitted to be inconsistent with the Examiner's earlier allegation that claim 7 was among the claims anticipated by this same reference.

The Examiner alleges that merely because it was known in the art to use cookies or user logging to come up with user preferences that enable targeting marketing of merchandise, etc. that this suggests applicant's determination of "said information relating to user preferences" from a history of usage. The applicant respectfully disagrees. That is, in the context of claim 7 (which must be considered "as a whole" under 35 U.S.C. §103), there is no suggestion in Wolff to make the modification(s) now being suggested, with hindsight, by the Examiner.

Accordingly, this entire application is now believed to be in allowable form and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Larry S. Nixon
Reg. No. 25,640

LSN:vc
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100