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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Andrew M. RITCHIE et al

Serial No. 08/647,769

Filed: May 15, 1996

For: SERVING SIGNALS

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APR 13 2000
PATENT & TRADEMARK OFFICE

Atty. Ref.: 1561-27

Group: 2771

Examiner: C. Rones

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April 13, 2000

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT UNDER 37 C.F.R. §1.116

In response to the final Office Action dated 10/29/99, please further amend the above-identified application as shown below:

IN THE CLAIMS

Please amend claims 1, 13, 34 and 50:

1. (4-Times Amended) [Apparatus] A serving device for serving output signals [from a serving device] to a plurality of browsing devices connected to a network, wherein said output signals represent commands executable by [each] a browsing device so as to display viewable data in accordance with a specified page format, said [apparatus] serving device comprising:

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means for identifying requests from browsing [clients] devices that define a request for specified viewable data, said request including formatting type identification data;

means for storing a plurality of formatting types of data defining respectively corresponding predetermined formats for portions of said viewable data;

means for [reading] storing content data representing said viewable data;

means for selecting a specific part of said content data representing specific viewable data;

means for selecting a specific one of said types of formatting data in response to said formatting type identification data;

means for processing said read content data and said formatting types of data so as to combine [a] said selected part of said content data with said specific one of said types of formatting data, [said one type of formatting data being selected independently of said read content data] and for outputting processed data in the form of executable instructions; and

means for supplying output signals to the requesting browsing device derived from said output processed data,

in which said output signals represent commands executable by a browsing device so as to display said specific viewable data in accordance with a first specified page format when a first type of formatting data is selected and in a second specified page format when a second type of formatting data is selected.

~~13.~~ (4-Times Amended) A method of serving output signals from a serving device to a plurality of browsing devices connected to a network, wherein said output signals represent

commands executable by [each] a browsing device so as to display viewable data in accordance with a specified page format; said method comprising steps of:

identifying requests from browsing [clients] devices that define a request for specified viewable data, said request including formatting type identification data;

maintaining a plurality of formatting types of data defining respectively corresponding predetermined formats for portions of said viewable data;

[reading] storing content data representing said viewable data;

selecting a specific part of said content data representing specific viewable data;

selecting a specific one of said types of formatting data in response to said formatting type identification data;

processing said [read] content data and said formatting types of data so as to combine [a] said selected part of said content data with said specific one of said types of formatting data, [said one type of formatting data being selected independently of said content data] and for outputting processed viewable data with executable instructions; and

supplying output signals to the requesting browsing device derived from said output processed data,

in which said output signals represent commands executable by a browsing device so as to display said specific viewable data in accordance with a first specified page format when a first type of formatting data is selected and in a second specified page format when a second type of formatting data is selected.

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34. (Twice Amended) [Apparatus] A serving device for serving output signals [from serving device] to a plurality of browsing devices connected to a network, wherein said serving

[apparatus] device identifies requests from browsing [clients] devices for viewable data, said [apparatus] serving device comprising:

means operable in response to an identified request from a browsing device for reading said viewable data from a data source,

means for [identifying] selecting a subset of stored functions for displaying said data in respectively corresponding different specified formats, and

means for executing said identified subset of functions to produce said output signals,

wherein said request for reading viewable data includes formatting information and said functions are selected in response to said formatting information.

50. (Twice Amended) A method of serving output signals from a serving device to a plurality of browsing devices connected to a network, wherein said serving [apparatus] device identifies requests from browsing [clients] devices for viewable data, said method comprising steps of

reading said viewable data from a data store in response to an identified request from a browsing device;

[identifying] selecting a subset of stored functions for displaying said data in a specified format; and

executing said identified subset of functions at said serving device to produce said output signals,

wherein said request for reading viewable data includes formatting information and said functions are selected in response to said formatting information.

REMARKS

Reconsideration of this application is respectfully requested.

Although it is believed that the above amendments should be properly enterable under Rule 116 as being directed to formal issues that do not raise any new substantive issues, so as to insure entry and consideration of this amendment even after the outstanding "final" Office Action, a CPA request is being concurrently filed.

As the Office Action Summary correctly reveals, applicant has previously cancelled claims 25-33 and 41-49. However, it is respectfully noted that the Examiner has continued to treat these claims in the body of the Office Action at numbered paragraphs 13-20 and 29.

In response to the rejection of claim 1 under 35 U.S.C. §112, second paragraph, the above amendment avoids the phrase objected to as being vague and indefinite. As amended, claim 1 clearly requires that a specific one of the types of formatting data be selected in response to the formatting type identification data included in the request from the browser.

The rejection of claims 1 and 21-56 [presumably the Examiner only intended to reference claims 1, 13, 21-24, 34-40 and 50-56] as allegedly "obvious" based on the two-way combination of Meske '852 and Collins '978 is respectfully traversed.

Based on the Examiner's comments (e.g., see comment 6c), the claims have been reworded so as to make it more particular and distinct that the invention is claiming only a serving device.

Unlike the server disclosed by Meske, the present invention receives data from a browser which indicates the type of formatting required by the browser (i.e., it includes formatting type indication data, which is exemplified in the description as a format identifier). The invention responds to the browser's indication of the type of formatting required by selecting a corresponding specific type of formatting data and combining this with content data in order to provide a server output back to the browser. So, the formatting type of data that is used at the server to generate the server output signal is selected at the server in response to data included in the incoming request from a browser.

Conversely, the server disclosed by Meske formats the server output data in response to formatting data already present itself in the inputted data. See column 10, lines 4-7 ("Once the entry has been added to the profile file ... the article file is written at step 744, replacing all SGML instances with HTML instances."

Furthermore, claim 1 as above amended states that the "output signals represent commands executable by a browsing device so as to display said specific viewable data in accordance with a first specified page format when a first type of formatting data is selected and in a second specified page format when a second type of formatting data is selected". So, specific viewable data may be displayed in two (or more) differently formatted pages, in which the formatting depends on the formatting type of data selected in response to the formatting type identification data included in the request from the browser. On the other hand, "Meske" discloses a server in which various formats of display are possible but the formatting is determined by the specific viewable data being displayed. For example, a specific article is

formatted in a manner determined by the markup language text (HTML or SGML) present in the stored file that relates to the specific article.

Collins discloses a method of selecting formatting data which is regarded by the Examiner as being independent of the content data. However, the formatting does not depend on data included in the request from a browser and therefore Collins is not pertinent to the amended claims.

Claims 13 and 34 have been similarly amended and are also believed to be patentably distinct from any teaching or suggestion of the cited references. For example, amended claim 34 requires that the functions for displaying data are selected in response to formatting information supplied by the browsing device. Again, these features are not disclosed or suggested by either of the cited references.

Claim 50 has also been amended so as to require the request for reading viewable data to include formatting information and functions to be selected in response to that formatting information.

With respect to applicant's earlier filed remarks, the Examiner alleges that Meske discloses using CGI and HTML. However, pages are generated in a format determined by HTML included in the stored files and not in response to data received from the requesting browser. In the case of a dynamically generated page, the formatting is determined by the HTML embedded within the individual parts assembled on that page. For example, for the page shown in Figure 12 A and B of "Meske", the browsing device requested viewable data corresponding to "solaris" and the formatting of the page is determined by data and formatting

data contained in the files stored in the server. No data specific to formatting is included in the request and the data output to the browser is the same for any browser requesting data corresponding to "solaris". Therefore, the claims as amended are clearly patentable over the cited references.

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

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Larry S. Nixon

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