EXHIBIT 1

Part 10

U.S. Patent No. 7,139,761	**SNQ No. 4: Anticipation Based on iManage DeskSite 6.0 User Reference Manual (2001)**
environment from a remote location using a URL address.	*location using a URL address:* "You can send a copy of a document, a link of a document, or a URL link of a document through e-mail from iManage DeskSite." Chapter 3, p. 74. "In the **WorkSite** box, you can enter the URL for accessing imanage [sic] WorkSite in the **Base Path** field." Chapter 6, p. 157 (boldface in original).
Claim 21 (Independent)	
21. A computer-readable medium for storing computer-executable instructions for a method of managing data, the method comprising:	*For purposes of this Request, limitations [a] through [d] of claim 21 are substantially similar to claim 9, except that that claim 21 was written as a computer-readable medium (apparatus) claim. As such, in the interests of brevity, the full explanation provided in connection with claim 9 above will not be repeated here.* *As explained in connection with the preamble of claim 9, iManage discloses a method of managing data. See Chapter 1, pp. 12-13, 18.*
[a] creating data related to user interaction of a user within a user workspace of a web-based computing platform using an application;	*As explained in connection with limitation [a] of claim 9, iManage discloses creating data related to user interaction of a user within a user workspace of a web-based computing platform using an application. See generally Chapter 5, pp. 125, 130; chapter 3, p. 74 (web-based); chapter 6, p. 157.*
[b] dynamically associating metadata with the data, the data and metadata stored on the web-based computing platform, the metadata includes information related to the user of the user workspace, to the data, to the application and to the user workspace;	*As explained in connection with limitations [b1] and [b2] of claim 9, iManage discloses dynamically associating metadata with the data, and storing it on the web-based computing platform, the metadata includes information related to the user of the user workspace, to the data, to the application and to the user workspace. See generally Chapter 3, pp. 82-83 (including Figure 3.26); chapter 5, p. 141.*
[c] tracking movement of the user from the user workspace to a second	*As explained in connection with limitation [c] of claim 9, iManage discloses tracking movement of the user from the first to the second workspace of the web-based computing platform. See Chapter 3, pp.*

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user workspace of the web-based computing platform;	*82-83 (including Fig. 3.26); chapter 5, p. 141.*
[d] dynamically associating the data and the application with the second user workspace in the metadata such that the user employs the application and data from the second user workspace; and	*As explained in connection with limitation [d] of claim 9, iManage discloses dynamically associating the data and application with the second user workspace in the metadata such that the user employs the application and data from the second workspace. See Chapter 3, pp. 50-51, 87-88 (including Fig. 3.26).*
[e] indexing the data created in the user workspace such that a plurality of different users can access the data via the metadata from a corresponding plurality of different user workspaces.	*For the purposes of this Request, this limitation is substantially similar to dependent claim 11. As such, in the interests of brevity, the full explanation provided in connection with claim 11 need not be repeated here.* *As explained in connection with claim 11, supra, iManage discloses indexing the data created in the user workspace such that a plurality of users can access the data via the metadata from a corresponding plurality of different user workspaces. See Chapter 1, Table 1.1, p. 14; chapter 3, pp. 50-51; chapter 4, p. 106; chapter 5, p. 125.*
Claim 23 (Independent)	
23. A computer-implemented system that facilitates management of data, comprising:	*For purposes of this Request, the preamble of claim 23 is substantially similar to the preamble of claim 1. As such, in the interests of brevity, the full explanation provided in connection with the preamble of claim 1 will not be repeated here.* *As explained in connection with the preamble of claim 1, iManage discloses a computer-implemented system that facilitates management of data. See Chapter 1, pp. 12-13, 18.*
[a1] a computer-implemented context component of a web-based server for defining a first user workspace of the web-based server,	*iManage discloses a computer implemented context component of a web-based server for defining a first user workspace of the web-based server.* *For purposes of this Request, the first user workspace can be the particular application used by the user, or the user's location (computer), or the combination of both. iManage discloses defining these workspaces and associated context information:*

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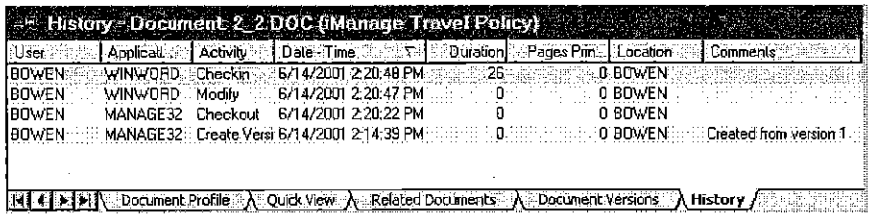
	"The iManage Integrated Application Operation allows a user to perform iManage functions directly from the application they are using." Chapter 5, p. 125. "The document history record displays all activities of the types selected for recording by your system administrator. The types of activities typically recorded in the document activity record are: • Opening and closing the document in an integrated application * * * • Checking out, copying, and/or checking in the document • Viewing the document * * * • The computer (location) where the activity took place" Chapter 3, pp. 82-83. "The *History* dialog [shown below] displays the activity record for a particular document in chronological order. The fields displayed in the activity table are User, Application, Activity, Date-Time, Duration, Pages Printed, Location, and Comments." Chapter 5, p. 141 (italics in original).  History - Document 2_2.DOC (iManage Travel Policy) User | Applicat... | Activity | Date - Time | Duration | Pages Prin... | Location | Comments BOWEN | WINWORD | Checkin | 6/14/2001 2:20:48 PM | 26 | 0 | BOWEN BOWEN | WINWORD | Modify | 6/14/2001 2:20:47 PM | 0 | 0 | BOWEN BOWEN | MANAGE32 | Checkout | 6/14/2001 2:20:22 PM | 0 | 0 | BOWEN BOWEN | MANAGE32 | Create Versi | 6/14/2001 2:14:39 PM | 0 | 0 | BOWEN | Created from version 1 Document Profile | Quick View | Related Documents | Document Versions | History *Chapter 3, Figure 3.26, p. 83.*
[a2] assigning one or more applications to the first user workspace,	*iManage discloses assigning one or more applications to the first user workspace:* "The iManage Integrated Application Operation allows a user to perform iManage functions directly from the application they are using. This integration eliminates the need to switch to the iManage DeskSite application to perform certain iManage tasks." Chapter 5, p. 125. "iManage DeskSite is actively integrated with most major Windows applications . . ." Chapter 5, p. 125. *See also Chapter 5, p. 125 (providing a list of multiple*

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	applications that are integrated into iManage).
[a3] capturing context data associated with user interaction of a user while in the first user workspace, and for	*As explained in connection with limitation [a1] of claim 1, iManage discloses capturing context data associated with user interaction while in the first user workspace (e.g., first application and/or location). See Chapter 3, pp. 82-83; chapter 5, pp. 125, 141.*
[a4] dynamically storing the context data as metadata on a storage component of the web-based server, which metadata is dynamically associated with data created in the first user workspace; and	*As explained in connection with limitation [a2] of claim 1, iManage discloses dynamically storing the context data as metadata (e.g., document history information) on a storage component of the web-based server (e.g., iManage library), which is dynamically associated with data created in the first user workspace. See Chapter 3, pp. 82-83 (including Fig. 3.26).*
[b1] a computer-implemented tracking component of the web-based server for tracking change information associated with a change in access of the user from the first user workspace to a second user workspace, and dynamically storing the change information on the storage component as part of the metadata,	*As explained in connection with limitation [b1] of claim 1, iManage discloses a computer-implemented tracking component of the web-based server for tracking change information associated with a change in access of the user from the first user workspace to a second user workspace (e.g., the user moving from a first application and/or location to a second application and/or location), and dynamically storing the change information on the storage component as part of the metadata (e.g., in the document history for the document). See Chapter 3, pp. 82-83 (including Fig. 3.26); chapter 5, p. 125, 141.*
[b2] wherein the user accesses the data from the second user workspace.	*As explained in connection with limitation [b2] of claim 1, iManage discloses that the user accesses the data from the second user workspace. See Chapter 3, pp. 50-51.*
Claim 24 (Dependent)	
24. The system of claim **23**, wherein the tracking component automatically creates the	*See claim 23 above.* *iManage discloses that the tracking component automatically creates the metadata (e.g., document history) when the user accesses the first*

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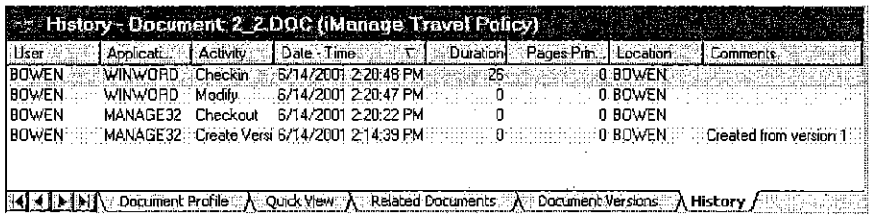
metadata when the user accesses the first user workspace.	*workspace (e.g., the first application and/or location).* *This is shown through the History feature of iManage, which automatically creates the metadata (e.g., document history information) when the user accesses the first user workspace:* "The iManage Integrated Application Operation allows a user to perform iManage functions directly from the application they are using." Chapter 5, p. 125. "The document history record displays all activities of the types selected for recording by your system administrator. The types of activities typically recorded in the document activity record are: • Opening and closing the document in an integrated application * * * • Checking out, copying, and/or checking in the document • Viewing the document * * * • The computer (location) where the activity took place" Chapter 3, pp. 82-83. "The *History* dialog [shown below] displays the activity record for a particular document in chronological order. The fields displayed in the activity table are User, Application, Activity, Date-Time, Duration, Pages Printed, Location, and Comments." Chapter 5, p. 141 (italics in original).  *Chapter 3, Figure 3.26, p. 83.* *As shown above, the first user workspace is "MANAGE32" at 2:14:39 PM. DeskSite creates this metadata automatically when the workspace is accessed, as shown above.*
Claim 25 (Dependent)	

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25. The system of claim **23**, wherein the context component captures relationship data associated with a relationship between the first user workspace and at least one other user workspace.	*See claim 23 above.* *For purposes of this Request, claim 25 is similar to claim 5, above. As such, in the interests of brevity, the full explanation provided in connection with claim 5 will not be repeated here. As explained in connection with claim 5, iManage discloses capturing relationship data associated with a relationship between the first user workspace and at least one other user workspace. See Chapter 5, p. 125, 141; chapter 3, pp. 82-83 (including Figure 3.26).*
Claim 26 (Dependent)	
26. The system of claim **23**, wherein an application associated with the first user workspace is automatically accessible via the second user workspace when the user moves from the first user workspace to the second user workspace.	*See claim 23 above.* *iManage discloses that an application associated with the first user workspace (e.g., iManage Desksite Desktop) is automatically accessible via the second user workspace when the user moves from the first to the second workspace (e.g., from one application/location to another):* "The iManage Integrated Application Operation allows a user to perform iManage functions directly from the application they are using. This integration eliminates the need to switch to the iManage DeskSite application to perform certain iManage tasks" Chapter 5, p. 125. "iManage DeskSite is actively integrated with most major Windows applications . . ." Chapter 5, p. 125.
Claim 29 (Dependent)	
29. The system of claim **23**, wherein when the data created in the first user workspace is accessed from the second user workspace, in response to which the context component adds information to the metadata about the second user workspace.	*See claim 23 above.* *iManage discloses that the data created in the first user workspace (e.g., document) are accessed from the second user workspace (e.g., a second application or location), in response to which the context component adds information to the metadata about the second user workspace.* *This is accomplished, for example, when a user moves to a different user workspace (e.g., a second, application or location) and attempts to access data from that workspace. The context component adds information to the metadata about the second workspace:* "The document history record displays all activities of the types selected for recording by your system administrator. The types of activities typically recorded in the document

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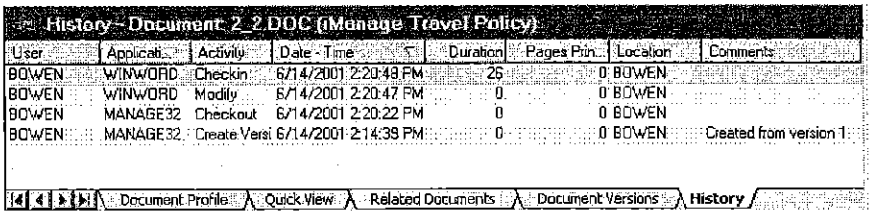
	activity record are: • Opening and closing the document in an integrated application * * * • Checking out, copying, and/or checking in the document • Viewing the document * * * • The computer (location) where the activity took place" Chapter 3, pp. 82-83. *For example, the following screenshot shows tracking a user (BOWEN) accessing a document (2_2.DOC) from two different contexts (applications), and updating the metadata (e.g., document history) based on the change:*  History - Document 2_2.DOC (iManage Travel Policy) User | Applicati... | Activity | Date - Time | Duration | Pages Prin... | Location | Comments BOWEN | WINWORD | Checkin | 6/14/2001 2:20:48 PM | 26 | 0 | BOWEN BOWEN | WINWORD | Modify | 6/14/2001 2:20:47 PM | 0 | 0 | BOWEN BOWEN | MANAGE32 | Checkout | 6/14/2001 2:20:22 PM | 0 | 0 | BOWEN BOWEN | MANAGE32 | Create Versi | 6/14/2001 2:14:38 PM | 0 | 0 | BOWEN | Created from version 1 Document Profile | Quick View | Related Documents | Document Versions | History *Chapter 3, Figure 3.26, p. 83.* "The *History* dialog displays the activity record for a particular document in chronological order. The fields displayed in the activity table are User, Application, Activity, Date-Time, Duration, Pages Printed, Location, and Comments." Chapter 5, p. 141 (italics in original). "iManage DeskSite is actively integrated with most major Windows applications . . ." Chapter 5, p. 125.
Claim 32 (Dependent)	
32. The system of claim **23**, wherein storing of the metadata in the storage component in association with data facilitates many-to-many functionality of the data via the metadata.	*See claim 23 above.* *iManage discloses that storing of the metadata in the storage component in association with data facilitates many-to-many functionality of the data via the metadata.* *For example, iManage discloses that the metadata allow the ability to retrieve and use documents from multiple different contexts or workspaces.*

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	"iManage DeskSite is actively integrated with most major Windows applications . . ." Chapter 5, p. 125. "**Opening from an Integrated Application** If an application is integrated with iManage DeskSite, you can also open documents that are contained in an iManage database from inside the application by selecting Open from the application's File menu." Chapter 3, pp. 50-51. "**Searching by Document Numbers** One of the most direct ways to locate documents in the database is to search for specific document numbers. If you know the document number for a document, this can be an effective way of locating the document quickly, because every document in the database has a distinct document number and version number." Chapter 4, p. 106.
Claim 33 (Dependent)	
33. The system of claim **23**, wherein the first user workspace provides access to at least one communications tool, which includes e-mail, voicemail, fax, teleconferencing, instant message, chat, contacts, calendar, task, notes, news, ideas, vote, web and video conferencing, and document sharing functionality.	*See claim 23 above.* *iManage discloses that the first user workspace provides access to at least one communications tool, e.g., e-mail or web:* "**Web Browser** iManage DeskSite has a web browser utility to allow you to quickly access the web directly from the iManage Desktop." Chapter 2, p. 41. "**E-mailing Documents** You can send a copy of a document, a link of a document, or a URL link of a document through e-mail from iManage DeskSite." Chapter 3, p. 74.
Claim 34 (Dependent)	
34. The system of claim **23**, wherein one or more applications include file storage pointers that are dynamic and associated with the first user workspace.	*iManage discloses that one or more applications include file storage pointers that are dynamic and associated with the first user workspace (e.g., the current context in which the user is operating).* *The file storage pointers take the form, for example, of document numbers associated with the user's files:*

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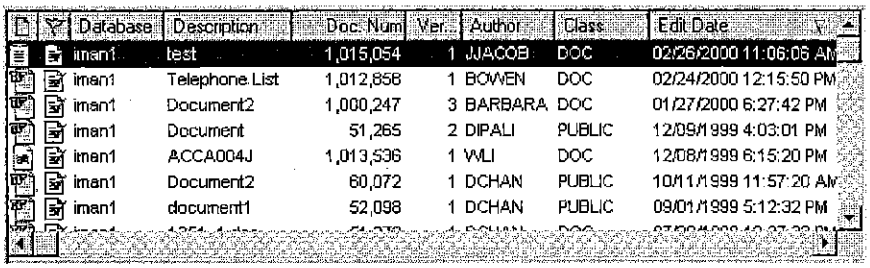
Profile Field	Description
Number	Unique number automatically assigned by iManage DeskSite

Chapter 1, Table 1.1, p. 14.

These document numbers are dynamic and associated with the first user workspace, e.g., when the user creates the document within an application. This is shown in the following figure, showing the document number (Doc. Num.) associated with the application used to create it (MS Word, MS Excel, icons on the left):



Database	Description	Doc. Num	Ver.	Author	Class	Edit Date
iman1	test	1,015,054	1	JJACOB	DOC	02/26/2000 11:06:06 AM
iman1	Telephone List	1,012,858	1	BOWEN	DOC	02/24/2000 12:15:50 PM
iman1	Document2	1,000,247	3	BARBARA	DOC	01/27/2000 6:27:42 PM
iman1	Document	51,265	2	DIPALI	PUBLIC	12/09/1999 4:03:01 PM
iman1	ACCA004J	1,013,536	1	WLI	DOC	12/08/1999 6:15:20 PM
iman1	Document2	60,072	1	DCHAN	PUBLIC	10/11/1999 11:57:20 AM
iman1	document1	52,098	1	DCHAN	PUBLIC	09/01/1999 5:12:32 PM

Chapter 2, Figure 2.6, p. 31.

These dynamic file storage pointers can be used to search for the document in a plurality of workspaces.

> "**Searching by Document Numbers**
>
> One of the most direct ways to locate documents in the database is to search for specific document numbers. If you know the document number for a document, this can be an effective way of locating the document quickly, because every document in the database has a distinct document number and version number." Chapter 4, p. 106.

E. **Anticipation by Swartz (SNQ No. 5)**

A claim chart showing how Swartz anticip ates claim 3 of the '761 patent is se t forth below. Because claim 3 depends from claim 1 -- and therefore incorpo rates all lim itations from claim 1 – the chart b elow also explains how cl aim 1 is disclosed by S wartz. Unless otherwise noted, underlining has been added by the Requester for clarity and emphasis.

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Claim 1 (Independent)	
1. A computer-implemented network-based system that facilitates management of data, comprising:	*Swartz discloses a computer-implemented network-based system that facilitates management of data:* "This invention relates generally to an architecture for the integration of data, information and knowledge, and more particularly to a method and apparatus that manages and utilizes a knowledge repository for the purpose of enabling easy access, manipulation and visualization of synchronized data, information and knowledge contained in different types of software systems." Col. 1, ll. 10-16. "In accordance with the present invention, there is provided a knowledge integration system for providing application interoperability and synchronization between heterogeneous document and data sources, comprising . . . a document source, including a document database memory, for . . . making the captured knowledge available across a network. . . ." Col. 3, ll. 61-64, col. 4, ll. 4-5.
[a1] a computer-implemented context component of the network-based system for capturing context information associated with user-defined data created by user interaction of a user in a first context of the network-based system,	*Swartz discloses a computer-implemented context component (e.g., DataDocket middleware) for capturing context information associated with user-defined data (e.g., documents, images) created by a user interaction in a first context (e.g., an information management application), as explained in detail below.* *First, the DataDocket system supports the creation of user-defined data by user interaction in a first context (e.g., through one or more user environments/applications):* "Within information management level **300** [of Fig. 5] reside the plurality of independent information management

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	applications controlled by the DataDocket system, for example, image data and associated image applications (reference numerals **310A, 310B**). . . . ." Col. 17, ll. 49-53; *see also* Fig. 5 (showing Data Applications 314B, Document Applications 312B and Image Applications 310B). *The first context may comprise, for example, a first workspace or software environment (e.g., clinical data analysis system):* "Such a system also preferably captures metadata associated with the information shared, stored and accessed by the users of the data so as to characterize the 'context' in which the information is being used. As depicted, for example in FIGS. 2A and 2B, the customer data analysis software application (e.g., SAS/PH-Clinical) **50** is separate and distinct from the enterprise document management system (e.g., Documentum or PC Docs) **55**." Col. 8, ll. 55-63. *The DataDocket system captures context information associated with the user-defined data:* "Aspects of the present invention include . . . use of a knowledge repository containing record of integration transactions, context information from users and applications . . . ." Col. 4, ll. 19, 33-35. "As used herein, the term 'knowledge integration middleware' represents any software used to assist in the integration of disparate information sources and their corresponding applications for the purposes of recording, distributing, and activating knowledge, knowledge applications, or knowledge services. More specifically, knowledge integration middleware is preferably employed to identify (including tracking, monitoring, analyzing) the context in which information is employed so as to enable the use of such context in the management of knowledge." Col. 6, ll. 22-26. "Some key advantages of the present invention are the saving of 'context' and having ability to visualize and explore past, present and potential decisions, infrastructure setup for individual and enterprise learning, structuring processes, practices, and applications and the interactions between them, that to date has been mostly unstructured and unrecorded." Col. 7, ll. 49-55.

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[a2] the context component dynamically storing the context information in metadata associated with the user-defined data, the user-defined data and metadata stored on a storage component of the network-based system; and	*Swartz discloses that the context component dynamically stores the context information in metadata associated with the user-defined data:* "'Metadata' refers to data about data; as used herein, Metadata characterizes how, when and by whom a particular set of data was collected, and how the data is formatted." Col. 6, ll. 64-67. "Such a system also preferably captures metadata associated with the information shared, stored and accessed by the users of the data so as to characterize the 'context' in which the information is being used." Col. 8, ll. 56-60. *The user-defined data and metadata are stored on a storage component (e.g., repository, database):* "As inputs, the knowledge integration block supplies records of transactions, context information from users and applications, and information to populate an information metadata catalog in the knowledge repository **330**." Col. 18, ll. 9-12. "As illustrated in FIG. 3 data analysis and review block **90** includes a data review subcomponent having access to the analysis results & meta data stored in database **94**, and providing access to such information to the user **101**." Col. 10, ll. 22-25. "Similarly, the document management and review block **100** [of Fig. 3] preferably contains a document review subcomponent **102**, that enables a user **101** to review reference and assertion documents stored in the document database **104**." Col. 10, ll. 32-35.
[b] a computer-implemented tracking component of the network-based system for tracking a change of the user from the first context to a second context of the network-based system and dynamically updating the stored metadata based on the change, wherein the user accesses the data from the	*Swartz discloses a computer-implemented tracking component of the network-based system (e.g., DataDocket middleware) for tracking a change of the user from a first context to a second context, and dynamically updating the stored metadata based on the change, as described below.* *For purposes of invalidity of this claim, the first context can comprise a first workspace or environment (e.g., a clinical data analysis system), and the second context can comprise a second workspace or environment (e.g., an enterprise document management system such as Documentum):* "Such a system also preferably captures metadata associated

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second context.	with the information shared, stored and accessed by the users of the data so as to characterize the 'context' in which the information is being used. As depicted, for example in FIGS. 2A and 2B, the customer data analysis software application (e.g., SAS/PH-Clinical) **50** is separate and distinct from the enterprise document management system (e.g., Documentum or PC Docs) **55**." Col. 8, ll. 55-63. "The preferred DataDocket architecture, depicted in FIGS. 2A or 2B, is characterized by 'middleware' **60** that manages the flow of information between two or more applications that comprise the information system of an enterprise." Col. 9, ll. 5-8. *Swartz discloses tracking a change of the user from the first to the second context, and dynamically updating the stored metadata based on the change:* "More specifically, knowledge integration middleware is preferably employed to identify (including tracking, monitoring, analyzing) the context in which information is employed so as to enable the use of such context in the management of knowledge." Col. 6, ll. 22-26. "Some key advantages of the present invention are the saving of 'context' and having ability to visualize and explore past, present and potential decisions, infrastructure setup for individual and enterprise learning, structuring processes, practices, and applications and the interactions between them, that to date has been mostly unstructured and unrecorded." Col. 7, ll. 49-55. *For example, Swartz discloses the ability to create an "audit trail" showing the flow of data and transactions between applications and contexts:* "The functionality of the DataDocket phase includes: . . . (c) generation of an audit trail to represent the flow of data; . . . (f) updating a knowledge base which stores dynamic information about integration transactions; (h) using stored context information, provides access to historical information about how a report was created, who did the work, and when it was completed . . . ." Col. 9, ll. 14-

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	33. *As a further example, the user's movement to another second context is tracked and the metadata is automatically updated, resulting in a "knowledge path" showing a record of the transactions performed by the user on the data:* "Vital to the design and implementation of the mechanisms specified in this architecture is the capturing of the 'knowledge path' of all the work required as part of building the proof for filing a regulatory application. Ultimately, anyone reviewing the proof should be able to retrace all steps taken from the finished application, back to the generation of the arguments and assertions made during analysis, and finally back to the original data. Accordingly, the capturing of the context for all transactions supporting the decisions made is essential. Such functionality is likely to require recording a textual account of the transaction—such as a knowledge worker indicating 'why' they are doing something. However, whenever possible, the recording of information should be done electronically, automatically with dynamic (or 'live') linkages to the source information and the system that manages such information." Col. 19, ll. 15-30. *Swartz provides at least two further examples. First, a user can switch contexts from the SAS/PH-Clinical software environment to the enterprise document management system (Documentum), and then access the user-defined data from the document management system. See Col. 19, ll. 38-63. Second, a user can employ a dynamic link (described above) to switch contexts from Documentum back to the SAS/PH-Clinical software environment for viewing particular data. See Col. 20, ll. 14-28. In both cases, the user accesses the data from the second context.*
Claim 3 (Dependent)	
3. The system of claim **1**, the context component is associated with a web, which web is a collection of interrelated workspaces, the web maintains a location of data of the respective interrelated workspaces	*See claim 1, above.* *The context component (e.g., DataDocket middleware) is associated with a web, which is a collection of interrelated workspaces (e.g., multiple information management applications):* "As previously described, the DataDocket system employs an API layer (not shown) to interface to and between these various information management applications in level **300** [of

U.S. Patent No. 7,139,761	SNQ No. 5: Anticipation of Claim 3 Based On U.S. Patent No. 6,236,994 to Robert M. Swartz
when one or more of the interrelated workspaces are moved into a different workspace interrelationship.	Fig. 5]. The API, and the DD-Controller component that controls the functionality of the API, are generally characterized as middleware **321**—falling into level **302**. The functionality enabled by the middleware **321**, not only enables the integration of the functionality of the various information management applications (application integration, **320**), but also provides added resources so as to monitor the flow of information into, out of, and amongst the various information management applications (knowledge integration, **322**)." Col. 17, ll. 54-64. *The web maintains a location of the data of the respective workspaces when one or more of the interrelated workspaces are moved into a different workspace interrelationship:* "For example, the 'KnowledgeLink (K-Link)' feature embeds and executes 'live' knowledge links stored in documents and analysis data. Users will be able to define and execute multiple tasks to be performed by one or more information management (data or document) applications from anywhere within the actual information content. More specifically, a knowledge link may be specified from within either a source document or published document, linking back to a related object in the data analysis system. Any source document links (defined at anchors within document content; i.e., at a specific place on a page) will be preserved when the document is published into a particular format (e.g., Adobe®). The user would then have the ability to invoke a knowledge link, thereby accessing information within the knowledge repository and elicit a defined set of tasks that may initiate a set of transactions with assorted applications." Col. 18, ll. 15-31.

F. Obviousness Over Hess in View of *Computer Dictionary* (SNQ No. 6)

This Request presents a separate and narrowly-tailored SNQ directed at claims 9-15, 21, 23-26, 31-34 to the extent they recite the requirement of a "web-based computing platform," "a web-based server" or similar web-based features. Each of these claims is separately anticipated by Hess for the reasons explained in Part VII(A) beginning at page 29, above. As explained herein, however, the recitation of "web-based" functionalities in these claims is a distinction without any patentable significance. These claims are also obvious under § 103.

In particular, independent claim 9 (and hence dependent claims 10-15) and independent 21 recite a "web-based computing platform," while independent claim 23 (and hence dependent claims 24-26 and 31-34) recite a "web-based server." Dependent claims 13-15 further recite related web-based features such as "accessing the user environment and the second user environment using a browser" (claim 13), "communicating with the user environment using a TCP/IP communication protocol" (claim 14) and "locating the user environment from a remote location using a URL address" (claim 15).

Each of these claims is obvious over Hess in view of Microsoft Press, *Microsoft Computer Dictionary* (3d ed. 1997) [**Exhibit H**], which confirms that web-based systems, browsers, the TCP/IP communication protocol and URL addresses were all well-known to those or ordinary skill in the art long before the application for the '761 patent was filed. The World Wide Web, websites and web browsers have been in existence since at least 1989. *See id.* at 505 (discussing Web browsers), 506 (Web sites), 511-512 (World Wide Web, noting origins in 1989). Additionally, TCP/IP was well-known as the standard Internet protocol suite used by the World Wide Web and other Internet applications long before the application for the '761 patent was filed. *See* Microsoft at 462 ("It [TCP/IP] is built into the UNIX system and has become the de facto standard for data transmission over networks, including the Internet."). Uniform Resource Locators (URLs) were also universally-known long before the '761 patent as the way of identifying Internet resources on the World Wide Web. *See* Microsoft at 487 ("An address for a resource on the Internet. URLs are used by Web browsers to locate Internet resources.").

Accordingly, using a web-based platform or server, a web browser, the TCP/IP communications protocol and/or a URL address to access a workspace or user environment would have entailed a simple substitution of a World Wide Web-based environment in place of a

non-Internet system (such as a proprietary non-T CP/IP network. This would have predictably resulted in a method in which the user environment was accessed from via a web browser though a URL address using the TCP/IP comm unications pr otocol. One of ordina ry skill in th e ar t would be motivated to com bine references in order to achieve the clear a dvantages of being able to acces s th e claim ed workspace or user env ironment over the In ternet using a standard web browser. For exam ple, by allowin g a user to access a wo rkspace or user environ ment over the Internet using a standard browser, the software provider is freed of the burden of deploying its own network infrastructure or developing specialized applic ation software to en able the use r to access the workspace or user environment. Therefore, claims 9-15, 21, 23-26, 31-34 of the '761 patent are obvious under § 103.

G. Obviousness of Claim 16 in View of Ausems (SNQ No. 7)

Dependent claim 16 of the '761 patent read s in its entirety: "The m ethod of claim 9, further com prising accessing the u ser environment vi a a po rtable wireless devic e." This claim adds nothing of patentable significance and is obvious under § 103(a).

Claim 16 depends from independent claim 9, wh ich is s eparately an ticipated by each of Dourish, Hubert and iManage for the reasons explained in Parts VII(B-D) beginning at page 57, above, respectively. C laim 16 is obvious over any one of these th ree anticipatory references when com bined with U.S. Patent No. 6,434,403 B1 to Michael R. Ause ms et al. entitled "Personal D igital Assistant with W ireless Tele phone." Ausem s discloses a handheld wireless communications device that com bines a personal digita l assistant (PDA) and wireless telephone into a single portable device. *See* Col. 1, ll. 5-9, 54-58. The porta ble wireless de vice includes a CPU, runs the Microsoft Windows CE operating system and includes a web browser to facilitate wireless Internet access. *See* Ausems, Col. 7, ln. 63-col. 8, ln. 4. Ausem s further discloses that the device "may remotely communicate with a computer system." Ausems, Col. 9, ll. 17-18.

Claim 16 recites nothing more than the trivial act of accessing a user environment from a portable wireless device. Portable wireless devices, such as the one disclosed in A usems, were well-known before the application for the '761 pa tent was filed. Usi ng a portable wireless device to a ccess a user environm ent would ha ve enta iled a sim ple substitu tion of a portable wireless device in place of a fixed-location, non -wireless device (such as a conventional desktop computer), predictably resulting in a method in which the user environment was accessed from a

portable wireless device. One of ordinary skill in the art would be motivated to combine any of Dourish, Hubert or iManage with Ausems to achieve the increased flexibility and mobility of being able to access a user environment remotely and without requiring a wired connection to a computer network. Claim 16 is therefore obvious under § 103.

H. Obviousness of Claim 31 in View of Microsoft Dictionary (SNQ No. 8)

Claim 31 recites: "The system of claim **23**, wherein the storage component stores the data and the metadata according to at least one of a relational and an object storage methodology." This claim adds nothing of patentable significance and is obvious under § 103.

Claim 31 depends from independent claim 23, which is separately anticipated by each of Hess, Dourish, Hubert and iManage for the reasons explained in Parts VII(A-D), beginning at page 27 above, respectively. Claim 31 is obvious over any one of these anticipatory references when combined with Microsoft Press, *Microsoft Computer Dictionary* (3d ed. 1997) [**Exhibit H**], which confirms that relational database methodologies were well-known before the application for the '761 patent was filed. A relational database is simply a "database or database management system that stores information in tables—rows and columns of data—and conducts searches by using data in specified columns of one table to find additional data in another table." *Id.* at 403. Most if not all popular microcomputer database products at the time of the alleged invention of the '761 patent were relational databases. *See id.* at 403-404 ("Microcomputer database products typically are relational databases."). Using a relational database methodology would have entailed a simple substitution of a relational database in place of a non-relational database, predictably resulting in a system in which the data and metadata are stored according to a relational methodology. One of ordinary skill in the art would have been motivated to use a relational database with any one of Hess, Dourish, Hubert or iManage to achieve the increased flexibility and support offered by widely-available relational database products. *Id.* at 403.

I. Obviousness Under the Combination of Hess and Dourish (SNQ No. 9)

As explained above, Hess and Dourish are anticipatory references with respect to claims 1-16, 21, 23-26, 29, 31-34 under 35 U.S.C. § 102(b). [3] Although not required to show invalidity of these claims, the combination of Hess and Dourish also render claims 1-16, 21, 23-26, 29, 31-34 obvious under 35 U.S.C. § 103(a). Each and every limitation of these claims is disclosed by Hess and/or Dourish as explained in detail above in Parts VII.A and VII.B beginning at page 29.

It would also have been obvious to one of ordinary skill in the art to combine Hess and Dourish to provide the systems and methods claimed in claims 1-16, 21, 23-26, 29, 31-34. Both Hess and Dourish provide solutions to the same problems purportedly addressed in the '761 patent, which would lead a skilled artisan to look to both references for possible solutions to the problem. Both Hess and Dourish describe techniques for managing and organizing a user's data (including through using stored metadata), and both references disclose the ability of a user to move to a new context, workspace, or user environment in which the user accesses that data. A person of ordinary skill in the art could easily have combined the elements of both systems by known methods, with no change in their respective functions and yielding nothing more than results which would have been predictable at the time the '761 patent was filed.

J. Obviousness Under Combination of Hubert and Maritzen (SNQ No. 10)

As explained above, Hubert is an anticipatory reference with respect to claims 1-15, 21, 23-26, 29, 31-34 under 35 U.S.C. § 102(b). Although not required to show invalidity of these claims, Hubert also renders these claims obvious when combined with U.S. Patent Application Pub. No. 2003/0120660 to L. Michael Maritzen entitled "Consumer-Centric Context-Aware Switching Model," filed on December 7, 2001. As explained in Part VII.C beginning on page 85, Hubert discloses a system in which a user can move to a new "source" or "environment" in which his or her documents and data can be accessed. Maritzen discloses a similar system in which context information is captured, stored and transmitted for use at multiple different websites. Maritzen, ¶ 0076, 0081-83, Fig. 9. The system as disclosed involves three steps:

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[3] In particular, Hess was cited as anticipatory with respect to claims 1-13, 16, 21, 23-26, 29, and 31-34, and Dourish as to claims 1-15, 21, 23-26, 29 and 31-34.

> "A user enters personal information such as name, mailing address, and age, when requesting information from website #1. The user leaves website #1 and visits website #2. Subsequently, the user visits website #3. The progression of the user from website #1 through website #3 may occur during different sessions." ¶ 0081.
>
> "The website #3 requests personal information such as name and mailing address from the user. In response to the user's preselection, context data including the user name and mailing address is automatically sent to website #3. This saves the user from re-entering this personal information." ¶ 0082.
>
> "Further, website #3 also requests the context data including the user's website visitation history. In response to the user's pre-selection of allowable context data to be distributed, the user is prompted to permit this distribution of the user's website visitation history. The user is able to decide whether to allow this context data to be distributed to website #3." ¶ 0083.

Both Hubert and Maritzen provide solutions to the same problems purportedly addressed in the '761 patent, which would lead a skilled artisan to look to both references for possible solutions to the problem. Hubert discloses techniques for managing and organizing a user's data (including through using stored metadata) and the ability of a user to move to a new user environment in which the user accesses the data. Maritzen provides a specific example in which the user moves between separate Internet websites. A person of ordinary skill in the art could easily have combined the elements of both systems by known methods, with no change in their respective functions and yielding nothing more than results which would have been predictable at the time the '761 patent was filed.

VIII. LIST OF EXHIBITS

The following is a list of exhibits filed with this Request:

Exhibit A U.S. Patent No. 7,139,761 to Michael McKibben et al.

Exhibit B: Christopher K. Hess & Roy H. Ca mpbell, *A Context File System for Ubiquitous Computing Environments*, Departm ent of Com puter Science, Univ ersity of Illinois at Urbana-Champaign, July 2002

Exhibit C: U.S. Patent No. 6,430,575 B1 to J. Paul Dourish et al.

Exhibit D: European Patent Application EP 1 087 306 A2 to Laurence Hubert et al.

Exhibit E: *iManage DeskSite 6.0 User Reference Manual*, 2001, Chapters 1-5

Exhibit F: U.S. Patent No. 6,236,994 B1 to Ronald M. Swartz et al.

Exhibit G: U.S. Patent No. 6,434,403 B1 to Michael R. Ausems et al.

Exhibit H: Microsoft Press, *Microsoft Computer Dictionary* (3d ed. 1997), pages 403-04, 462, 487, 505-506, 511-512

Exhibit I: U.S. Patent Application Pub. No. 2003/0120660 to L. Michael Maritzen

Exhibit J: Affidavit of Christopher Butler, dated October 29, 2009

IX. CONCLUSION

The claims of the '761 patent are not patentable over the prior art cited in this Request. The prior art discloses, teaches or suggests the subject matter of the '761 patent in such a manner that SNQs are raised for each of claims 1-16, 21, 23-26, 29, 31-34. The Requester respectfully requests that the PTO grant this Request and return a first Office Action rejecting claims 1-16, 21, 23-26, 29 and 31-34 in accordance with the proposed rejections listed in Part I(D) starting at page 5 above, with special dispatch.

Dated: November 13, 2009

Respectfully submitted,

/Heidi L. Keefe/
Heidi L. Keefe
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X. CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 1.510(b)(5), that on November 13, 2009, I caused a true and correct copy of the foregoing REQUEST FOR *INTER PARTES* REEXAMINATION to be served via First Class U.S. Mail on the following:

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