

nodes and arcs of the net are weighted, *id.*, but does not discuss how the weights are computed. All that is mentioned is that the weights are “periodically reconsidered and possibly lowered”. *Id.* These statements provide no actual insight into the weighting mechanism and so fail to amount to an enabling disclosure that could form a basis for an anticipation rejection.²¹ See, e.g., MPEP 2121.01 (recognizing that in order for a cited reference to anticipate a claim, the reference must provide an enabling disclosure of the claimed subject matter), and see *Elan Pharm., Inc. v. Mayo Found. For Med. Educ. & Research*, 346 F.3d 1051, 1054, 68 USPQ2d 1373, 1376 (Fed. Cir. 2003).

Hence, for at least these reasons, *Stefani* does not anticipate claim 23. Claim 24 depends from claim 23 and is not anticipated by *Stefani* for at least all of the same reasons as claim 23.

*Issue #23: Claims 1, 5, 6 and 21 are Not Obvious Under 35 USC 103 in View of Stefani even when Considered in Combination with Mladenic.*²²

With respect to claim 1, it was previously noted that *Stefani* fails to teach or suggest both estimating parameters of a user-specific learning machine and estimating a probability that a collected document is of interest to a user. As demonstrated above, *Mladenic* has these same deficiencies (and more), and therefore even if its teachings are considered in combination with those of *Stefani*, one still would not realize the subject matter of claim 1.

Claims 5, 6, and 21 depend from claim 1 and are patentable over *Stefani* and *Mladenic* for all of the same reasons as claim 1. Further, with respect to claim 5, because *Mladenic* fails to teach *estimating parameters of a user-specific learning machine*, *Mladenic* cannot teach “wherein estimating parameters of a user-specific learning

²¹ The reader is advised that a weight is assigned to an arc/co-occurrence based upon “a different level of interest for the user.” *Id.* at 4. However, *Stefani* fails to specify how such a level of interest for a user is determined or what it relates to.

²² The Office Action relies on *Mladenic* for teachings regarding a search query that is accepted from a user and the retrieval of documents based on the search query. However, as demonstrated above, *Mladenic*’s Personal Web Watcher does not involve search or search queries and does not return documents based on search queries. Insofar as *Mladenic* discusses the WebWatcher, a search-oriented system, such teachings are irrelevant because the combination of *Stefani* and *Mladenic* remains deficient with respect to other features of claim 1.

machine further comprises estimating parameters of a user-specific learning machine based at least in part on the documents not of interest to the user”, as recited in claim 5. This is a further reason why claim 5 is patentable over *Stefani* and *Mladenic*.

With respect to claim 21, because *Mladenic* does not teach “receiving a search query”, “retrieved document[s]” or using “estimated probabilities for the respective plurality of retrieved documents to present at least a portion of the retrieved documents to the user”, as in claim 1, it follows that *Mladenic* cannot teach “presenting to the user at least said portion of the retrieved documents based on the estimated probability that the retrieved document is of interest to the user and the relevance of the retrieved document to the search query”, as recited in claim 21. This is a further reason why claim 21 is patentable over *Stefani* and *Mladenic*.

Issue #24: Claims 3 and 7 are Not Obvious Under 35 USC 103 in View of Stefani even when Considered in Combination with Mladenic and Culliss.

Claims 3 and 7 depend from claim 1 and are patentable over *Stefani* and *Mladenic* for all of the reasons set forth above with respect to claim 1. Above it was shown that *Culliss* and *Mladenic* are not in related fields of art and so the rejections based on any combination of *Mladenic* and *Culliss* should be removed.

Even if one were to combine the substantive teachings of *Culliss* with *Stefani* and *Mladenic*, however, one would not arrive at the invention recited in claim 3. As discussed above, *Culliss* does not teach *estimating parameters of a user-specific learning machine*, or *estimating a probability that the retrieved document is of interest to the user*, as recited in claim 1. Consequently, any combination of *Stefani*, *Mladenic* and *Culliss* would still lack these teachings and so claims 3 and 7 are patentable over the combination of *Stefani*, *Mladenic*, and *Culliss*.

Issue #25: Claims 14 and 22 are Not Obvious Under 35 USC 103 in View of Stefani even when Considered in Combination with Mladenic and Refuah.

Claims 14 and 22 depend from claim 1 and are patentable over *Stefani and Mladenic* for all of the same reasons as claim 1, as discussed above. Above it was shown that those of ordinary skill in the art would not make the combination of *Mladenic* and *Refuah*. Hence, rejections based on the combination of *Stefani, Mladenic* and *Refuah* should be removed for at least that reason.

Further, as shown above, *Mladenic* and *Refuah* fail to teach *estimating parameters of a user-specific learning machine, estimating probabilities that a retrieved document is of interest to a user and using the estimated probabilities to present at least a portion of any retrieved documents to the user*. Additionally, with respect to claim 14, *Refuah* does not teach *whether at least one of said documents of interest contains a link to said retrieved document*. At col. 17, ll. 44-47, *Refuah* discusses properties including the “number of links from the site.” In the context being described, these would not be links *to* a retrieved document, but rather links *from* a retrieved document. Accordingly, the combination of *Stefani, Mladenic* and *Refuah* does not teach the presently claimed invention and so claim 14 and 22 must be deemed patentable over these references.

CONCLUSION

For at least the foregoing reasons, the claims subject to reexamination remain patentable over the cited references.

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Respectfully submitted,

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