

PATENT APPLICATION SERIAL NO. 08/287108

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

050 MH 08/18/94 08287108

1 101 1,854.00 CK

PTO-1556  
(5/87)



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04860.P624C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
SEP 09 1994  
GROUP 2300

In Re Application of:

Richard Mander, et al.

Examiner: *FeHng*

Serial No.: 08/287,108

Art Unit: 2301

Filed: August 8, 1994

For: METHOD AND APPARATUS FOR ORGANIZING INFORMATION IN A COMPUTER SYSTEM

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 1.97, Applicant hereby provides a listing on PTO Form 1449 of references and encloses a copy of the references cited on the above referenced form.

Pursuant to 37 C.F.R. § 1.97, this information disclosure statement is being submitted under 37 C.F.R. § 1.97(e) because each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counter part foreign application not more than three months prior to the filing date of the statement.

While this statement is being submitted as a means to comply with 37 CFR 1.97, it is not to be construed as an admission that the material identified above represents prior art to Applicant's invention.

Very truly yours,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: Sept. 1, 1994

*J. Scheller*  
James C. Scheller, Jr.  
Reg. No. 31, 195

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Seventh Floor  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

on September 1, 1994  
Date of Deposit

Tom Schaffer  
Name of Person Mailing Correspondence

*Tom Schaffer* 9/1/94  
Signature Date



**Form PTO-1449**  
(REV. 8-83)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
**04860.P624C**

SERIAL NO.  
**08/287,108**

**INFORMATION DISCLOSURE CITATION**  
*(Use several sheets if necessary)*

APPLICANT  
**Richard Mander et al.**

FILING DATE  
**8/8/94**

GROUP  
**2301**

| U.S. PATENT DOCUMENTS |                 |      |      |       |          |                            |  |  |
|-----------------------|-----------------|------|------|-------|----------|----------------------------|--|--|
| *EXAMINER INITIAL     | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |  |  |
|                       |                 |      |      |       |          |                            |  |  |
|                       |                 |      |      |       |          |                            |  |  |
|                       |                 |      |      |       |          |                            |  |  |
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|                       |                 |      |      |       |          |                            |  |  |

| FOREIGN PATENT DOCUMENTS |                 |         |              |       |          |             |    |  |
|--------------------------|-----------------|---------|--------------|-------|----------|-------------|----|--|
| *EXAMINER INITIAL        | DOCUMENT NUMBER | DATE    | COUNTRY      | CLASS | SUBCLASS | TRANSLATION |    |  |
|                          |                 |         |              |       |          | YES         | NO |  |
| <i>AK</i>                | 3714172         | 4/28/84 | Beetz et al. | DEX   |          |             |    |  |
|                          |                 |         |              |       |          |             |    |  |
|                          |                 |         |              |       |          |             |    |  |
|                          |                 |         |              |       |          |             |    |  |
|                          |                 |         |              |       |          |             |    |  |

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

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| EXAMINER<br><i>Anton Felling</i> | DATE CONSIDERED<br><i>10/31/94</i> |
|----------------------------------|------------------------------------|

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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Europäisches  
Patentamt

Zweigstelle  
in Den Haag  
Recherchen-  
abteilung

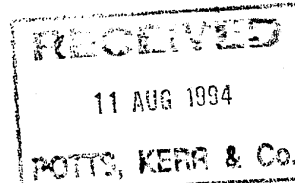
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Patent Office

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Search  
division

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des brevets

Département à  
La Haye  
Division de la  
recherche

Wombwell, Francis  
Potts, Kerr & Co.  
15, Hamilton Square  
Birkenhead  
Merseyside L41 6BR  
GRANDE BRETAGNE



Datum/Date  
09.08.94

|  |  |
|--|--|
| Zeichen/Ref./Réf.<br>93909187.2  | Anmeldung Nr./Application No./Demande n°./Patent Nr No./Brevet n°.<br>93909187.2 |
| Anmelder/Applicant/Demandeur//Patentinhaber/Propriétaire<br>APPLE COMPUTER, INC. |  |

### COMMUNICATION

The European Patent Office herewith transmits

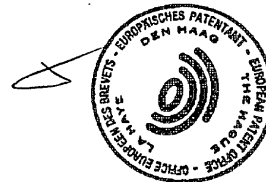
- the European search report
- the declaration under Rule 45 EPC
- the partial European search report under Rule 45 EPC
- the supplementary European search report concerning the international application under Article 157(2) EPC relating to the above-mentioned European patent application. Copies of the documents cited in the search report are enclosed.

The following specifications given by the applicant have been approved by the Search Division :

- Abstract
  - Title
  - Figure
  - The abstract was modified by the Search Division and the definitive text is attached to this communication.
  - The following figure will be published with the abstract, since the Search Division considers that it better characterises the invention than the one indicated by the applicant.
- Figure:
- Additional copy(copies) of the documents cited in the European search report.

### REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



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| EPO Form 1507 02.93 |  |  |  |  |
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European Patent  
Office

**SUPPLEMENTARY  
EUROPEAN SEARCH REPORT**

Application Number  
EP 93 90 9187

| DOCUMENTS CONSIDERED TO BE RELEVANT   |   |  |  |
|---|---|--|--|
| Category  | Citation of document with indication, where appropriate, of relevant passages   | Relevant to claim  | CLASSIFICATION OF THE APPLICATION (Int.Cl.5) |
| 1 X   | US-A-5 060 135 (LEVINE ET AL.)  | 1-12,<br>37-46,<br>66-72   | G06F15/62                                    |
| Y   | * the whole document *<br>---   | 13-36,<br>47-65  |  |
| 2 Y   | DE-A-37 14 172 (HITACHI LTD.)   | 13-36,<br>47-65  |  |
|   | * the whole document *<br>---   |  |  |
| 1 D,Y   | INFORMATION PROCESSING & MANAGEMENT (INCORPORATING INFORMATION TECHNOLOGY), vol.24, no.5, 1988, OXFORD GB pages 513 - 523<br>SALTON G. AND BUCKLEY CH. 'TERM-WEIGHING APPROACHES IN AUTOMATIC TEXT RETRIEVAL' | 36   |  |
| 1 D,A   | ACM TRANSACTIONS ON OFFICE INFORMATION SYSTEMS, USA, vol.1, no.1, January 1983 pages 99 - 112<br>MALONE T.W. 'How Do People Organize Their Desks? Implications for the Design of Office Information Systems'  | 1,37,66  |  |
|   |   |  | TECHNICAL FIELDS SEARCHED (Int.Cl.5)<br>G06F |
| The supplementary search report has been drawn up for the claims attached hereto.   |   |  |  |
| Place of search<br>THE HAGUE  |   | Date of completion of the search<br>27 July 1994   | Examiner<br>Suendermann, R                   |
| <b>CATEGORY OF CITED DOCUMENTS</b><br>X : particularly relevant if taken alone<br>Y : particularly relevant if combined with another document of the same category<br>A : technological background<br>O : non-written disclosure<br>P : intermediate document |   | T : theory or principle underlying the invention<br>E : earlier patent document, but published on, or after the filing date<br>D : document cited in the application<br>L : document cited for other reasons<br>& : member of the same patent family, corresponding document |  |

EPO FORM 1503/01/87 (P04C04)

ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.

EP 93 90 9187

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

27-07-1994

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date |
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| US-A-5060135                           | 22-10-91         | AU-B- 624835            | 25-06-92         |
|  |                  | AU-A- 3745989           | 12-12-89         |
|  |                  | EP-A- 0370101           | 30-05-90         |
|  |                  | WO-A- 8911696           | 30-11-89         |
|  |                  | AU-B- 623149            | 07-05-92         |
|  |                  | AU-A- 3691689           | 12-12-89         |
|  |                  | AU-B- 624837            | 25-06-92         |
|  |                  | AU-A- 3757889           | 12-12-89         |
|  |                  | CA-A- 1327082           | 15-02-94         |
|  |                  | EP-A- 0377698           | 18-07-90         |
|  |                  | EP-A- 0394379           | 31-10-90         |
|  |                  | EP-A- 0579337           | 19-01-94         |
|  |                  | EP-A- 0570083           | 18-11-93         |
|  |                  | JP-T- 2504439           | 13-12-90         |
|  |                  | JP-T- 2504564           | 20-12-90         |
|  |                  | WO-A- 8911694           | 30-11-89         |
|  |                  | WO-A- 8911695           | 30-11-89         |
| US-A- 5161213                          | 03-11-92         |                         |                  |
| -----                                  |                  |                         |                  |
| DE-A-3714172                           | 19-11-87         | JP-A- 62254272          | 06-11-87         |
|  |                  | JP-A- 63068974          | 28-03-88         |
|  |                  | DE-A- 3744899           | 22-03-90         |
|  |                  | US-A- 5021989           | 04-06-91         |
| -----                                  |                  |                         |                  |

EPO FORM P069

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82



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4860.P624C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard Mander, et al.

Serial No.: 08/287,108

Filed: August 8, 1994

For: METHOD AND APPARATUS FOR  
ORGANIZING INFORMATION IN A COMPUTER  
SYSTEM

a Continuation of application

Serial No.: 07/876,921

Filed: April 30, 1992

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154.00 103

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11-9-94  
mjc

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GROUP 2000

PRELIMINARY AMENDMENT

Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Please enter this preliminary amendment prior to any action on the present application.

IN THE CLAIMS

Please amend the pending claims as indicated below.

1 (Twice Amended) A method for organizing information in a computer filing system having a display device and a first plurality of documents, said method comprising :

|                          |       |           |
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| 040 AH 09/14/94 08287108 | 1 102 | 148.00 CK |
| 040 AH 09/14/94 08287108 | 1 103 | 154.00 CK |

displaying at some time on said display device a graphical representation of a first document and a graphical representation of a second document from said first plurality of documents;

creating a collection of documents comprising a second plurality of documents having said first document and said second document;

determining for said collection at least one of (a) an internal collective representation or (b) a user defined specification, wherein said internal collective representation is based on internal representations of said first and said second documents;

displaying a graphical representation of said collection of documents on said display device; and

viewing at least one of the documents in said collection by displaying an indicia of said at least one document by selecting, from said graphical representation of said collection, said at least one document.

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4. (Amended) A method as in claim 1 further comprising the step of:

creating a plurality of collections of documents from said collection of documents by comparing said [an] internal representation [maintained by said computer system] for each document in said collection of documents with an internal collective representation [created by said system] for each of said collections of documents.

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Please cancel claim 7.

8. (Amended) A method as in claim [7] 1 wherein said computer filing system determines said internal collective representation of said collection of documents and wherein said internal representation of each of the documents



C<sup>3</sup>

~~in said collection of documents comprises a representation of words within each of the documents.~~

In claim 9, on line 5 thereof, insert the word "in" before the word--said--.

C<sup>4</sup>

~~10. (Amended) A method as in claim 8 wherein said internal collective representation of said collection of documents comprises a vector containing a representation of words within at least some of the documents in said collection of documents.~~

C<sup>5</sup>

~~26. (Amended) A method as in claim 21 [further comprising creating a representation of said collection of documents based on an internal representation of each of the documents in said collection and] wherein said list of words for each mail document is obtained from said internal representation of each mail document.~~

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C<sup>6</sup>

~~31. (Amended) A method [as in claim 1] for organizing information in a computer filing system having a display device and a first plurality of documents. said method comprising:  
displaying at some time on said display device a graphical representation of a first document;  
creating a collection of documents comprising at least a second document and said first document, wherein said step of creating a collection comprises indicating to said computer system that a collection of documents is to be created using said first document as a sample document and wherein said computer system searches said first plurality of documents to find said second document[.]~~

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displaying a graphical representation of said collection on said display device.

<sup>3</sup>  
32. (Amended) A method as in claim 31 [wherein said computer filing system creates said collection by modifying an attribute of documents within said collection, wherein said attribute is used by said computer filing system for said first document and said second document.]

<sup>6</sup>  
further comprising viewing at least one of the documents in said collection by displaying an indicia of said at least one document by selecting from said graphical representation of said collection, said at least one document.

<sup>7</sup>  
36. (Amended) A method as in claim [7] & wherein the user of said computer filing system provides a third document to said filing system and instructs said computer filing system to file said third document and wherein said computer filing system determines whether to add said third document to said collection based on a measure of similarity between the internal collective representation of said collection and an internal representation of said third document.

<sup>8</sup>  
37. (Twice Amended) A method for organizing information in a computer system having a display device, said method comprising:  
displaying at some time on said display device a representation of a first document and a representation of a second document;  
creating a collection of documents comprising said first and said second documents;  
determining for said collection of documents at least one of (a) an internal collective representation or (b) a first user defined specification.

wherein said internal collective representation is based on internal representations of said first and second documents:

C<sup>8</sup> displaying a graphical representation of said collection of documents; and

determining a further internal representation of said collection when a third document is added to said collection based on one of: (a) an internal representation of each of the documents in said collection, [and] or (b) said first or a second user defined specification.

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C<sup>9</sup> 38. (Amended) A method as in claim 37 wherein said computer system has a filing system having a graphical user interface and said method is performed in part by said filing system and wherein said representations of said first document[,], and said second document[,], and said collection of documents] are graphical representations.

39. (Amended) A method as in claim 38 wherein said first user defined specification is a sample document designated by said user to act as an internal representation of said collection.

40. (Amended) A method as in claim 38 wherein said first user defined specification is a collection of words specified by said user.

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C<sup>10</sup> 42. (Amended) A method as in claim 38 wherein said first user defined specification comprises a programmable means for causing the execution of a series of instructions and wherein said programmable means is activated by selecting a graphical representation [of said user defined specification] on said display device.

43. (Amended) A method as in claim 38 wherein said step of determining an internal collective representation of said collection occurs each time a document is added to or removed from said collection.

C<sup>10</sup>

44. (Amended) A method as in claim 43 wherein said step of determining [a] an internal collective representation of said collection occurs each time a modified document is stored to replace a preexisting document in said collection.

59. (Amended) A method as in claim 38 wherein [said representation of said collection is a user defined specification and] said first user defined specification is modified and wherein said computer system adds new documents to said collection on the basis of said modified first user defined specification.

C<sup>11</sup>

60. (Amended) A method as in claim 59 wherein said computer system adds to said collection on the basis of a comparison between the internal representation of each of said new documents and said modified first user defined specification.

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61. (Amended) A method as in claim 38 wherein said further internal representation of said collection is one of said first and second user defined specifications defining a selected user defined specification and wherein the user indicates to said computer system to add a fourth item to said collection, which fourth item has an internal representation which does not match said selected user defined specification, and wherein, after the user has indicated to add said fourth item to said collection, said computer system prompts the user to

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determine whether the fourth item is to be added to said collection without modifying said selected user defined specification or the fourth item is to be added and said selected user defined specification is to be modified.

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62. (Amended) A method as in claim 61 wherein said computer system prompts the user by displaying a window means for editing the selected user defined specification and wherein said fourth item is one of a document, a pile and a folder.

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66. (Twice Amended) A computer filing system for organizing information in a computer system having a processor, a bus, and memory for storing information including a plurality of documents, said computer filing system comprising:

a display means for producing a display of graphical representations, said display means coupled to said processor;

a cursor control means coupled to said processor, said cursor control means for controlling the position of a cursor on said display;

a switch means for indicating a selection of an object displayed on said display, said switch means coupled to said processor and having a first and a second position;

a graphical representation of a first document and a graphical representation of a second document, said cursor control means and said switch means being used with said graphical representations of said first and said second documents, which are displayed on said display means, to create a collection of documents comprising said first and said second documents;

a means for creating a graphical representation of said collection of documents comprising said first and said second document; and

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a means for determining [a] an internal collective representation of said collection, said means for determining providing a collective representation based on an internal representation of said first and said second documents.

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68. (Amended) An apparatus as in claim 66 [further comprising a] wherein said means for determining determines a further collective representation of said collection each time a document is added to said collection.

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C14

72. (Amended) A method as in claim 1 wherein said step of creating a collection of documents comprises creating a means for selecting a collection of documents and wherein said means for selecting includes one of a user provided collective representation of said collection [and a] or said user defined specification.

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(Please add the following new claims.)

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73. A method for organizing information in a computer system having a display device, said method comprising:  
determining an internal representation of each document in a plurality of documents, each said internal representation being based on the content of the corresponding document;  
creating a collection of documents comprising said plurality of documents;  
determining at least one of a first internal collective representation or a first user defined specification for said collection, said first internal collective representation being based on said internal representation of each of said plurality of documents; and

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displaying a visual representation of said collection of documents.

74. A method as in claim 73 further comprising:  
displaying at some time on said display device a visual representation of each document in said plurality of documents.

75. A method as in claim 73 further comprising:  
viewing at least one of the documents in said collection by displaying an indicia of said at least one of the documents, wherein said viewing occurs by selecting from said visual representation of said collection said at least one of the documents.

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76. A method as in claim 74 further comprising:  
viewing at least one of the documents in said collection by displaying an indicia of said at least one of the documents, wherein said viewing occurs by selecting from said visual representation of said collection said at least one of the documents.

77. A method as in claim 75 wherein said step of viewing comprises pointing a cursor on a display device at said visual representation.

78. A method as in claim 75 wherein the user of said computer system instructs said computer system to file a further document and wherein said computer system determines whether to add said further document to said collection of documents based on a measure of similarity between the first internal collective representation and an internal representation of said further document.

79. A method as in claim 78 wherein said computer system adds said further document to said collection of documents and further comprising:

determining a further internal collective representation of said collection, said further internal collective representation being based on said internal representation of each of said documents in said collection.

80. A method as in claim 75 further comprising:

creating a plurality of collections of documents from said collection of documents by comparing said internal representation of each of said documents in said collection of documents with an internal collective representation for each of said plurality of collections.

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REMARKS

All pending independent claims have been amended in light of the Examiner's comments in paragraph 6, on page 3 of the last Office action. Specifically, Applicant has distinctly set forth the unique functionality provided by the system and method of the present invention. The Levine reference, as noted before, does not teach or suggest determining an internal collective representation for the collection of documents, where this collective representation is based on internal representations of the documents in the collection. Thus, Levine cannot anticipate the present invention and there is no suggestion from other references to provide this functionality in Levine's system. Levine discloses nothing more than a "dumb" stack of stamps which may be treated as a group. There is no disclosure of internal representations for the



documents in the stack and no disclosure of an internal collective representation for the stack.

Moreover, there is no disclosure that the internal collective representation be updated when a new document is added to the collection; see, for example, claim 37..."determining a further internal representation of said collection when a third document is added..."

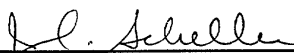
Two new independent claims have been added with this amendment. Claim 31 is not disclosed or rendered obvious by the references as it requires the computer system to create the collection by using a first document to find the second document. Claim 73 is not disclosed or rendered obvious by the references as it requires "determining at least one of a first internal collective representation..."

Applicant submits that all claims are in condition for allowance. Please charge deposit account 02-2666 for any deficiencies in fees associated with this preliminary amendment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: September 8, 1994

  
\_\_\_\_\_  
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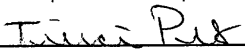
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(Signature of person mailing paper or fee)

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08/287108



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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/287,108    08/08/94    MANDER

R    04860, P624C  
**EXAMINER**  
FETTING, A

E3M1/1114  
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LOS ANGELES, CA 90025

**ART UNIT**    **PAPER NUMBER**

15

2301  
**DATE MAILED:**    11/14/94

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined     Responsive to communication filed on 3/8/94, 9/6/94 and 10/31/94     This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), - days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- 1.  Notice of References Cited by Examiner, PTO-892.
- 2.  Notice of Draftsman's Patent Drawing Review, PTO-948.
- 3.  Notice of Art Cited by Applicant, PTO-1449.
- 4.  Notice of Informal Patent Application, PTO-152.
- 5.  Information on How to Effect Drawing Changes, PTO-1474.
- 6.  \_\_\_\_\_

**Part II SUMMARY OF ACTION**

- 1.  Claims 1-6, 8-80 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
- 2.  Claims 7 have been cancelled.
- 3.  Claims \_\_\_\_\_ are allowed.
- 4.  Claims 1-6, 8-80 are rejected.
- 5.  Claims \_\_\_\_\_ are objected to.
- 6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.
- 7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- 8.  Formal drawings are required in response to this Office action.
- 9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- 10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).
- 11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).
- 12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
- 13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- 14.  Other

**EXAMINER'S ACTION**

PTOL-326 (Rev. 2/83)

Application No. 08/287,108

Art Unit 2301

1. This action is responsive to applicant's communication filed 8/8/94, 9/6/94 and 10/31/94. Of the claims 1 to 72 then pending,

- claim 7 has been canceled
- claims 73 to 80 have been added
- claims 1, 4, 8, 9, 10, 26, 31, 32, 36 to 40, 42, 43, 44, 59 to 62, 66, 68, and 72 have been amended
- claims 2, 3, 5, 6, 8, 11 to 25, 27 to 30, 33 to 35, 41, 45 to 58, 63 to 65, 67 and 69 to 71 are unchanged but depend from amended independent claims 1, 31, 37 and 66
- formerly dependent claim 31 has been amended to be an independent claim
- claims 1 to 6 and 8 to 80 are now pending

*Specification*

2. Please review the application and correct all informalities.

*Claim Rejections - 35 USC § 112*

3. Claims 1 to 6 and 8 to 80 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- With respect to independent claims 1, 31, 37, 66 and 73
  - The phrase "internal collective representation" is vague and ambiguous.

- Dependent claims 2 to 6, 8 to 30 and 70 to 72 are rejected for fully incorporating the deficiencies of their base claim 1.
- Claim 1 contains two objects of determination only one of which is necessary. The claims depending from claim 1 referring back to the internal collective representation determination element lack antecedent for those instances where only the alternative element of a user defined specification determination is incorporated.
- Dependent claims 32 and 33 are rejected for fully incorporating the deficiencies of their base claim 31.
- Dependent claims 38 and 65 are rejected for fully incorporating the deficiencies of their base claim 37.
- Dependent claims 67 to 69 are rejected for fully incorporating the deficiencies of their base claim 66.
- Dependent claims 74 to 80 are rejected for fully incorporating the deficiencies of their base claim 73.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication

in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1 to 6, 11 to 33, 37 to 68 and 70 to 80 are rejected under 35 U.S.C. § 102(a) and (e) as being anticipated by Levine et al. (U.S. Pat. No. 5060135 10/91) which teaches displaying a plurality of documents in a reduced format (stamps 34) on a display screen using an internal collective representation shown in fig. 5.

- With respect to independent claim 31, the broadest claim,
  - *graphical display of documents and document collections* is shown figures 2 to 4.
  - *creating a document collection using a first document as a sample and searching for next document* is shown fig. 6 **Add Document**. Any first document is inherently a sample for the purpose of portraying the presence of the created collection. Any document retrieval operation is inherently a searching operation since the system must search for the file matching the retrieval parameters.

- With respect to dependent claims 32 and 33,
  - *viewing and representing documents* is shown in figures 2 to 4.
  
- Independent claim 73, the next most broad claim, has substantially similar subject matter as claim 31 except as follows and is similarly rejected.
  - *determining an internal representation of each document based on contents* is shown by figures 5 and 6 portraying a process flow based on the structural contents of documents including document type and name.
  
- With respect to dependent claims 74 to 76,
  - *viewing documents and selecting documents by pointing* is shown by the process flow in fig. 7.
  
- With respect to dependent claim 77 and 80,
  - *basing collections on measures of similarity* is shown by the process flow of fig. 6 basing collections on application similarity as noted by internal document contents indicating relevant application.
  
- With respect to dependent claims 78 and 79,
  - *using measure of similarity for document addition* is shown by the process flow in fig. 6 in which similarity of document application is used for addition criteria.

- Independent claim 66, the next most broad claim, and dependent claims 67 and 68 are for an apparatus performing the methods of claims 73 to 77 and are similarly rejected.
  
- Independent claim 1 has substantially similar subject matter as claim 73 except as follows and is similarly rejected.
  - *viewing a document among multiple documents in a collection* is shown col. 11 lines 47 to 60.
  - *internal collective representation or user defined specification* is shown fig. 5.
  
- With respect to dependent claim 2, 3 and 12,
  - *cursor selection of a graphical representation including a base representation* is shown fig. 2 to 4.
  
- With respect to dependent claim 4,
  - *building collection by document comparison* is shown by the flow chart in fig. 6.
  
- Dependent claims 5, 6, 11, 13 and 14 are substantially similar in scope to claims 2, 3 and 12 and are similarly rejected.
  
- With respect to dependent claims 15, 16 and 28
  - *adding and removing third documents using display zones* is shown by the flow charts of figures 6 and 7 using the zones defined by the stamps shown in figures 2 to 4.



- With respect to dependent claim 17,
  - *pointing for a predetermined time to display an indicia* is shown col. 10 lines 20 to 35.
- With respect to dependent claims 18 to 27, depending from claim 17,
  - *viewing and pointing to collections of mail showing words and uniqueness* is shown by the figures 2 to 4 and col. 13 lines 30 to 50.
- With respect to dependent claim 29, 30 and 70 to 72,
  - *visual representations of contents and attributes by portraying number of documents or color of display* is shown fig. 3 (number of documents) and inherent operation of display devices (color).
- Independent claim 37 has substantially similar subject matter as claim 1 except as follows and is similarly rejected.
  - *adding a third document* is shown inherently by operation of flow charts in figures 6 and 7.
- With respect to dependent claim 38,
  - *filing system* is shown inherently in disk operations for documents in a computer system.
- With respect to dependent claims 39 to 42,

- *using a sample and collection of words and executing a process using relevancy* is shown in the process flows of fig. 6 and 7. Relevancy is shown by the decision blocks, collections of words is shown by the document types and menus, process execution is shown by the process flow.
- Dependent claims 43 to 53 contains substantially similar subject matter as claims 2 to 6 and 13 to 16 and are similarly rejected.
- With respect to dependent claims 54 to 58,
  - *viewing documents by movement and flipping* is shown col. 11 lines 28 to 60.
- With respect to dependent claim 59 to 65,
  - *adding documents to multiple types of collections which indicate what is contained and querying where addition is questionable* is shown by the portrayal of multiple collections in fig 2 to 4 and the query decision blocks in the process flows of fig. 6 and 7.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that

Application No. 08/287,108

Art Unit 2301

the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

7. Claims 1 to 6 and 8 to 80 are rejected under 35 U.S.C. § 103 as being unpatentable over Levine et al. as applied above in view of Vale et al. (U.S. Pat. No. 5247437 9/93).

Alternatively, with respect to claims 1 to 6, 11 to 33, 37 to 68 and 70 to 80, interpreting the claim element "collective internal representation" to mean word tables, Levine shows displaying a plurality of documents in a reduced format (stamps 34) on a display screen using an internal collective representation (fig. 5) as applied above, but does not show using word tables for the collective internal representation. Vale shows using word tables for the collective internal representation in an analogous art for the purpose of aggregating documents based on word content. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Vale's word table to Levine because of the taught advantages of using content as the criteria for document aggregation.

With respect to dependent claims 69, 8 to 10 and 34 to 36, Levine shows displaying a plurality of documents in a reduced format (stamps 34) on a display screen using an internal collective representation (fig. 5) as applied above, but does not show the word table of claims 69 and 8. Vale shows using word tables for the collective internal representation in an analogous art for the purpose of aggregating documents based on word content. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Vale's word table to

Levine because of the taught advantages of using content as the criteria for document aggregation.

- With respect to dependent claims 9, 10 and 34 to 36, depending from claim 8, *vectors and measures of similarity* are shown by Vale's word indexes, and *color indication* is shown inherently as a well known embodiment by operation of a display controller in a color environment.

*Response to Amendment*

8. Applicant's arguments have been fully considered but they are not deemed to be persuasive. Applicant argues that the internal collective representations elements added by amendments to independent claims are not disclosed by Levine. In response, Levine figures 5(a) and 5(b) show internal representations of the data base and a data base is a collection so the figures show internal collective representations.

*Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anton Fetting whose telephone number is (703) 305-8449. The examiner can normally be reached on Monday through Thursday from 7:15 AM

Application No. 08/287,108

Art Unit 2301

to 4:45 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 305-9701. The fax number for this Group is (703) 305-9564.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

AWF *AR*

11/2/94

*Heather R. Herndon*  
HEATHER R. HERNDON  
SUPERVISORY PATENT EXAMINER  
GROUP 2300

TO SEPARATE, HOLD TOP AND BOTTOM EDGES, SNAP-APART AND DISCARD CARBON

| FORM PTO-892<br>(REV. 2-92)   |              | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE |                        | SERIAL NO.<br><i>08/287108</i>      | GROUP PART UNIT        | ATTACHMENT<br>TO<br>PAPER<br>NUMBER<br><i>15</i> |                   |           |                            |                                |  |
|---|--------------|--|------------------------|-------------------------------------|------------------------|--|-------------------|-----------|----------------------------|--------------------------------|--|
| NOTICE OF REFERENCES CITED  |              |  |                        | APPLICANT(S)<br><i>Mander et al</i> |                        |  |                   |           |                            |                                |  |
| U.S. PATENT DOCUMENTS   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| *   | DOCUMENT NO. |  |                        |                                     | DATE                   | NAME   | CLASS             | SUB-CLASS | FILING DATE IF APPROPRIATE |                                |  |
| A   | 5353391      | 10/4/94  | <i>Cohen et al</i>     |                                     | 395                    | 161 X  | <del>5/6/91</del> |           |                            |                                |  |
| B   | 5349658      | 9/20/94  | <i>O'Rourke et al</i>  |                                     | 395                    | 159 X  | <del>4/1/91</del> |           |                            |                                |  |
| C   | 5347628      | 9/13/94  | <i>Brewer et al</i>    |                                     | 395                    | 159  | 11/8/90           |           |                            |                                |  |
| D   | 5341293      | 8/23/94  | <i>Vertalney et al</i> |                                     | 395                    | 159 X  | 5/19/91           |           |                            |                                |  |
| E   | 5305435      | 4/19/94  | <i>Bronson</i>         |                                     | 395                    | 159  | 7/17/90           |           |                            |                                |  |
| F   | 5247437      | 9/21/93  | <i>Vale et al</i>      |                                     | 364                    | 419.19   | 10/1/90           |           |                            |                                |  |
| G   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| H   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| I   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| J   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| K   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| FOREIGN PATENT DOCUMENTS  |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| *   | DOCUMENT NO. |  |                        |                                     | DATE                   | COUNTRY  | NAME              | CLASS     | SUB-CLASS                  | PERTINENT SHTS. DWG. PP. SPEC. |  |
| L   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| M   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| N   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| O   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| P   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| Q   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| R   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| S   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| T   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| U   |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |
| EXAMINER<br><i>Anton Felling</i>  |              |  |                        |                                     | DATE<br><i>11/2/94</i> |  |                   |           |                            |                                |  |
| * A copy of this reference is not being furnished with this office action.<br>(See Manual of Patent Examining Procedure, section 707.05 (a).) |              |  |                        |                                     |                        |  |                   |           |                            |                                |  |



370, 116 2301

2301 #16 05-08-95 MJC

Attorney's Docket No.: 04860.P624C

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard Mander, et al.

Examiner: A. Fetting

Serial No: 08/287,108

Art Unit: 2301

Filed: August 8, 1994

For: METHOD AND APPARATUS FOR ORGANIZING INFORMATION IN A COMPUTER SYSTEM

Commissioner of Patents and Trademarks Washington, D.C. 20231

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PETITION FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(A)

Sir:

In accordance with 37 C.F.R. 1.136(A), applicants respectfully petitions the Commissioner for a two month extension of time, extending the period for response to the Office Action dated November 14, 1994 until April 14, 1995. A check in the amount for \$370.00 as specified by C.F.R. §1.17(b) is attached hereto along with an Amendment responding to the above-mentioned Office Action.

Please charge any additional fees to Deposit Account No. 02-2666. A duplicate of this sheet is enclosed.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: April 14, 1995

Signature of Scot A. Griffin, Reg. No. 38,167

12400 Wilshire Boulevard Seventh Floor Los Angeles, CA 90025-1026 (408) 720-8598

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Attorney's Docket No.: 04860.P624C

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Richard Mander, et al. )  
Serial No: 08/287,108 )  
Filed: August 8, 1994 )  
For: METHOD AND APPARATUS FOR )  
ORGANIZING INFORMATION )  
IN A COMPUTER SYSTEM )

Examiner: A. Fetting  
Art Unit: 2301

Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

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GROUP 240

AMENDMENT

Sir:

In response to the Office Action mailed November 14, 1994, applicants respectfully request the Examiner to enter this amendment.

IN THE CLAIMS:

Please amend the following claims:

- 1 *231* (Twice Amended) A method for organizing information in a computer
- 2 filing system having a display device and a first plurality of documents, said
- 3 method comprising:
- 4 displaying at some time on said display device a graphical
- 5 representation of a first document;
- 6 said computer system creating a collection of documents comprising at
- 7 least a second document and said first document, wherein said step of

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*SP*

8 creating a collection comprises indicating to said computer system that a  
9 collection of documents is to be created using said first document as a sample  
10 document for said collection of document and wherein said computer system  
11 searches said first plurality of documents based on said first document to find  
12 said second document; and  
13 displaying a graphical representation of said collection on said display  
14 device.

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Please add the following new claims:

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1 81. (New) A method for organizing and viewing information in a  
2 computer filing system having a display device and a first plurality of  
3 documents, said method comprising:  
4 displaying a graphical iconic representation of a collection of said first  
5 plurality of documents;  
6 displaying a first indicia of a first document of said collection by  
7 selecting a first position from said graphical iconic representation, said first  
8 indicia of said first document being selected for display regardless of said first  
9 position on said graphical iconic representation.

1 82. (New) A method as in claim 81 wherein during said step of displaying  
2 a first indicia, said graphical iconic representation is concurrently displayed.

1 83. (New) A method as in claim 82 wherein said indicia is displayed  
2 adjacent to said graphical iconic representation of said collection.

1 84. (New) A method as in claim 81 wherein said selecting from said  
2 graphical iconic representation comprises positioning a cursor on said  
3 graphical iconic representation, and further comprising:

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4 displaying in series a second indicia of a second document and a third  
5 indicia of a third document by positioning said cursor first on a second  
6 position on said graphical iconic representation next on a third position on  
7 said graphical iconic representation.

D<sup>2</sup>

1 85. (New) A method as in claim ~~84~~<sup>84</sup> wherein said during said step of  
2 displaying in series said second indicia and said third indicia, said graphical  
3 iconic representation is concurrently displayed.

1 86. (New) A method as in claim ~~85~~<sup>85</sup> wherein said second indicia is  
2 displayed adjacent to said graphical iconic representation and said third  
3 indicia is displayed adjacent to said graphical iconic representation.

REMARKS

Consideration of this application in view of the foregoing amendments and the following remarks is hereby respectfully requested.

Claims 1-6 and 8-80 are rejected under 35 U.S.C. § 112, second paragraph.

Claims 1-6, 11-33, 37-68, and 70-80 are rejected under 35 U.S.C. §§ 102(a) and 102(e) as anticipated by U.S. Patent No. 5,060,135, issued of Levine et al. ("Levine").

Claims 1-6 and 8-80 are rejected under 35 U.S.C. § 103 as obvious in view of the combination of Levine and U.S. Patent No. 5,247,473, issued of Vale et al. ("Vale").

Claims 1-6 and 80-86 are pending. Claim 31 has been amended. Claims 81-86 have been added. No new matter has been added; an example of the method reflected in new claims 81-86 is shown in Figures 4e and 4f and described at page 20, line 14, through page 22, line 5.

Section 112, Second Paragraph

Claims 1-6 and 8-80 are rejected under Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

With respect to independent claims 1, 31, 37, 66, and 73, the Examiner has stated that the phrase "internal collective representation" is vague and ambiguous. Applicants first note that claim 31 does not recite the limitation of an "internal collective representation." Applicants respectfully submit that the recited "internal collective representation" is sufficiently definite as the claim clearly indicates that the "internal collective representation" is for the collection of documents, and that the "internal collective representation" is based on the internal representations for the first and second documents.

Thus, the collection of documents and each of the first and second documents have an internal representation, wherein the internal representation for the collection of documents is termed the "internal collective representation." Applicants note that the Examiner has not rejected the use of the phrase "internal representations for the first and second documents," and applicants therefore believe that applicants' explanation of the distinction made by the claim between the "internal representations" and the "internal collective representation" indicates that the claims are sufficiently definite for the purposes of Section 112, second paragraph.

The Examiner further rejects the claims depending from claim 1 based on the existence of the disjunctive "or" in the claim. The Examiner states that those dependent claims that refer back to the step of determining an "internal collective representation" recited in claim 1 lack antecedent basis for those instances where a user defined specification is instead determined.

Applicants respectfully submit that the requirement of antecedent basis merely requires that an element be introduced by an indefinite article prior to being referred to by a definite article.

Claim 1 clearly uses an indefinite article-- "an"-- to introduce the element of "internal collective representation." Regardless of whether an "internal collective representation" or a "user defined specification" is determined, the element "internal collective representation" has been introduced by an indefinite article to provide an antecedent basis for the dependent claims.

Section 102

Claims 1-6, 11-33, 37-68, and 70-80 are rejected under Sections 102(a) and 102(e) as anticipated by Levine. Applicants respectfully submit that the claims are not anticipated by Levine.

As applicants have previously stated, Levine discloses nothing more than a "dumb" stack of stamps which may be treated as a group. Levine discloses that an aligned stack of stamps 70 may be formed by using a "touch and move" operation to bring a first stamp within a predefined distance of a second stamp. (Levine, col. 12, lines 25-44; Figure 3 of the Drawings). Larger stacks are formed by a user performing multiple "touch and move" operations. (Levine, col. 12, lines 25-28). Thus, any "organization" or relationship that the stamps of an aligned stack may be said to have with one another is provided by the user who creates the stack.

The system disclosed by Levine uses a doubly linked list 92 for storing the attributes of each data structure displayed in the desk view 32. (Levine, col. 25, lines 50-52; Figure 5a of the Drawings). Each object to be displayed in the desk view thus has a corresponding entry 94 in the doubly linked list 92 of the desk database. The desk application routine determines the attributes of

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the object to be manipulated in the desk view by looking up the corresponding entry of linked list 92, and the desk application routine manipulates the object as indicated by the requested process and the attributes of the object's data structure. (Levine, cols. 25-29, Figures 5-7 of the drawings.) While the data structure attributes stored in each entry 94 of the linked list 92 may be said to "represent" the data structure indicated by the entry 94, such data structure attributes are clearly not based on the contents of the data structure indicated by the entry 94.

For these reasons, applicants submit that Levine fails to anticipate independent claim 1, which recites the following limitation:

determining for said collection at least one of (a) an internal collective representation or (b) a user defined specification, wherein said internal collective representation is based on internal representations of said first and second documents

Levine does not disclose either an "an internal collective representation" or a "user defined specification" for an aligned stack.

Applicants further submit that Levine further fails to disclose the step of displaying a base for said collection as recited by claim 2. Levine therefore fails to anticipate claim 3 which recites that the collection of documents is selected by positioning said cursor over said base. Claim 14 recites similar limitations as claim 2. As Levine does not disclose any type of internal representation of a document based on the contents of the document, Levine clearly fails to anticipate the types of internal representation claimed by claims 8, 9, 10, and 27.

Applicants respectfully disagree with the Examiner's application of Figure 6 of Levine to claim 4. Figure 6 of Levine shows the process undertaken by the supervisor task 15, which is responsible for maintaining the display of desk view 32. The supervisor task 15 is not responsible for

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organizing collection of documents, and the only disclosed method for forming a collection or stack of stamps is for the user to perform multiple "touch and move" operations. Levine therefore fails to anticipate claim 4.

As Levine only discloses the creation of aligned stacks of stamps by multiple "touch and move" operations, applicants submit that Levine does not disclose the following limitation of independent claim 31:

creating a collection of documents comprising at least a second document and said first document, wherein said step of creating a collection comprises indicating to said computer system that a collection of documents is to be created using said first document as a sample document for said collection of documents, and wherein said computer system searches said first plurality of documents based on said first document to find said second document

Applicants have amended claim 31 to better identify the manner in which said first document is a "sample document." Applicants therefore submit that amended claim 31 is not anticipated by Levine.

With respect to the Examiner's assertions that "[a]ny first document is inherently a sample for the purpose of portraying the presence of the created collection" and that "[a]ny document retrieval operation is inherently a searching operation," applicants respectfully submit that the Examiner has misapprehended the subject matter of claim 31. As stated in the preamble of claim 31, claim 31 recites a "method for organizing information." Wherein a step of "displaying a graphical representation of said collection" is recited, the step of creating the collection of documents is a separate step wherein the first document is used as a sample document to find the second document of the collection. Levine fails to explicitly or inherently disclose such a step.

In addition to reciting the above-cited step of independent claim 1, claim 73 further recites the following limitation:

determining an internal representation of each document of a plurality of documents, each said internal representation being based on the content of the corresponding document

Applicants respectfully submit that Levine fails to disclose this step.

Assuming arguendo that the Examiner has correctly characterized the doctype field 98 and the document base name field 102 disclosed by Levine as indicative of the "structural contents" of the document, applicants submit that these fields are clearly not based on the contents of the document. For example, the doctype field 98 will be the same for all documents of the same type, regardless of the contents of the document.

The remaining claims either depend from or recite similar limitations as described above. Applicants therefore submit that claims 1-6 and 8-80 are not anticipated by Levine. Applicants respectfully submit that dependent claims that have not been separately distinguished over Levine similarly include novel features not disclosed by Levine.

#### Section 103

Claims 1-6 and 8-80 are rejected as obvious in view of the combination of Levine and Vale. Applicants submit that the claims are not obvious in view of the Examiner's combination of the cited references.

Vale discloses a method for managing index entries during the creation, revision, and assembly of a document. (Vale, the Abstract). The type of "index" referred to by Vale includes keywords and the page numbers of the document wherein each keyword may be found. (Vale, col. 1). Vale discloses "master" indices, each of which may contain index entries from multiple documents. (Vale, col. 4; Figure 7 of the Drawings). Figure 7 of Vale clearly shows that each index is itself a separate document.



In making the combination of Vale and Levine, the Examiner first interpreted the claim element "internal collective representation" to mean "word tables." The Examiner stated that Levine discloses the use of an internal collective representation, and that Vale discloses the use of "word tables" as an internal collective representation.

As stated above, applicants submit that Levine does not disclose the use of an internal collective representation. Vale does not disclose creating a collection of documents, and the indices taught by Vale-- including the master indices-- are themselves documents that merely indicate to a user where entries and sub-entries may be found in a document or documents. Therefore, Vale fails to disclose the use of "word tables for the collective internal representation in an analogous art for aggregating documents based on word content," as asserted by the Examiner. Because the combination of Vale and Levine fails to disclose, teach, or suggest each of the recited limitation of claims 1-6 and 8-80, claims 1-6 and 8-80 are not obvious in view of the combination of Vale and Levine.

Applicants further submit that the Examiner's combination of Levine and Vale is a result of impermissible hindsight. It is well settled in patent law that there must be something in the prior art as a whole to provide the motivation for, or suggest the desirability of, making the combination arrived at by the Examiner. See, for example, Fromson v. Advanced Offset Plate, Inc., 225 U.S.P.Q. 26, 31 (Fed.Cir. 1985). Of course, it has been held that a judgment on obviousness may necessarily be a reconstruction based on hindsight reasoning. In re McLaughlin, 170 U.S.P.Q. 209 (C.C.P.A. 1971). However it is also well settled that:

It is impermissible within the framework of §103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full

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appreciation of what such a reference fairly suggests to one of ordinary skill in the art.

In re Wasselau, 147 U.S.P.Q. 391, 393 (C.C.P.A. 1965).

As previously discussed, any "organization" of the stamps taught by Levine is provided by the user based on a series of "touch and move" steps. Furthermore, Vale teaches an index having contents that merely reflect the location of selected key words in one or more documents, and any documents that form the basis of the index are not themselves formed into a collection of documents by the index. As neither reference discloses methods for automatically creating collections of documents, neither reference suggests the use of internal representations or user defined specifications to reflect and/or to organize a collection of documents.

Finally, applicants respectfully submit that new claims 81-86 are patentable over the cited prior art. Levine teaches that only the document associated with the top stamp of a stack of stamps may be viewed. New claim 81 recites that a document may be selected and an indicia of that document may be displayed regardless of its position in the iconic representation of the collection of documents.

For the foregoing reasons, applicants respectfully submit that the applicable objections and rejections have been overcome and that the claims are in condition for allowance.

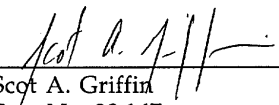
A Petition for Two Months Extension of Time accompanies this Amendment.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact Scot Griffin at (408) 720-8598.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: April 14, 1995

  
\_\_\_\_\_  
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COPY

Attorney's Docket No.: 04860.P624C Patent  
 Name of the Applicant: Richard Mander, et al.  
 (inventor(s))  
 Serial No.: 06287.108  
 Filed: August 8, 1994  
 For: METHOD AND APPARATUS FOR ORGANIZING INFORMATION IN A COMPUTER SYSTEM  
 (title)

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.  
 A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.  
 No additional fee is required.

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The fee has been calculated as shown below:

|  | (Col. 1)                    |       | (Col. 2)                        |       | (Col. 3)      | SMALL ENTITY   |                | OTHER THAN A SMALL ENTITY |                |
|--|-----------------------------|-------|---------------------------------|-------|---------------|----------------|----------------|---------------------------|----------------|
|  | Claims Remaining After Amd. | Minus | Highest No. Previously Paid For | Minus | Present Extra | Rate           | Additional Fee | Rate                      | Additional Fee |
| Total Claims   | * 85                        |       | ** 79                           |       |               | x11            | \$             | x22                       | \$ 132         |
| Indep. Claims  | * 6                         |       | *** 5                           |       |               | x38            | \$             | x76                       | \$ 76          |
| <b>First Presentation of Multiple Dependent Claim(s)</b> |                             |       |                                 |       |               | +120           | \$             | +240                      | \$             |
|  |                             |       |                                 |       |               | Total Add. Fee | \$             | Total Add. Fee            | \$ 208         |

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- A check in the amount of \$ 208.00 is attached for presentation of additional claim(s).
- Applicant(s) hereby Petition(s) for an Extension of Time of 2 month(s) pursuant to 37 C.F.R. § 1.136(a).
- A check for \$ 370.00 is attached for processing fees under 37 C.F.R. § 1.17. Please charge my Deposit Account No. 02-2666 the amount of \$ \_\_\_\_\_.
- A duplicate copy of this sheet is enclosed.**
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy of this sheet is enclosed):
  - Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
  - Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
 Scot A. Griffin  
 Reg. No. 38,167

Date: April 14, 1995  
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 Seventh Floor  
 Los Angeles, California 90025  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

on April 14, 1995  
 Date of Deposit  
 Name of Person Mailing Correspondence  
Leslie D. Rogan  
 Signature Leslie D. Rogan Date 4/14/95

(LJV/wes/cak 10/01/94)

08/287 108



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---------------|-------------|----------------------|---------------------|
|---------------|-------------|----------------------|---------------------|

08/287,108    08/08/94    MANDER

R    04860.P624C

EXAMINER  
FETTING, A

24M1/0612

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
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LOS ANGELES, CA 90025

ART UNIT    PAPER NUMBER

18

2412

DATE MAILED:    06/12/95

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

- This application has been examined     Responsive to communication filed on 4-17-95     This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.                 | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474.     | 6. <input type="checkbox"/> _____   |

**Part II SUMMARY OF ACTION**

- Claims 1-6, 8-86 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
- Claims 7 have been cancelled.
- Claims \_\_\_\_\_ are allowed.
- Claims 1-6, 8-86 are rejected.
- Claims \_\_\_\_\_ are objected to.
- Claims \_\_\_\_\_ are subject to restriction or election requirement.
- This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- Formal drawings are required in response to this Office action.
- The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).
- The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).
- Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
- Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- Other

**EXAMINER'S ACTION**

PTOL-326 (Rev. 2/93)

Application No. 08/287,108

Art Unit 2412

1. This action is responsive to applicant's communication filed 4/17/95. Of the claims 1 to 6 and 8 to 80 then pending,

- no claims have been canceled
- claim 7 remains canceled from prior amendments
- claims 81 to 86 have been added
- claim 31 has been amended
- claims 1 to 6 and 8 to 80 are unchanged although claims 32 and 33 depend from amended claim 31
- claims 1 to 6 and 8 to 86 are now pending

*Specification*

2. Please review the application and correct all informalities.

*Claim Rejections - 35 USC § 112*

3. Claims 81 to 86 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to independent claim 81, it is unclear whether the phrase "regardless of said first position on said graphical iconic representation" means that the same display is shown regardless (i.e. no matter where positioned, the same display occurs), or that the display is able to follow the position

regardless of position (i.e. the display is predicated on position, but any position is accessible and operable).

- Dependent claims 82 to 86 are rejected for fully incorporating the deficiencies of their base claim 81.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1 to 6, 11 to 30, 37 to 68 and 70 to 80 are rejected under 35 U.S.C. § 102(a) and (e) as being anticipated by Levine et al. (U.S. Pat. No. 5060135 10/91) which teaches displaying a plurality of documents in a reduced format (stamps 34) on a display screen using an internal collective representation shown in fig. 5. This is maintained from prior action.

- With respect to independent claim 73, the most broad claim,
  - *graphical display of documents and document collections* is shown figures 2 to 4.
  - *creating a collection of documents* is shown fig. 5a.
  - *determining an internal representation of each document and of collective documents based on contents* is shown by figures 5 and 6 portraying a process flow based on the structural contents of documents including document type and name.
  - *display* is shown fig. 2 to 4.
- With respect to dependent claims 74 to 76,
  - *viewing documents and selecting documents by pointing* is shown by the process flow in fig. 7.
- With respect to dependent claim 77 and 80,
  - *basing collections on measures of similarity* is shown by the process flow of fig. 6 basing collections on application similarity as noted by internal document contents indicating relevant application.
- With respect to dependent claims 78 and 79,
  - *using measure of similarity for document addition* is shown by the process flow in fig. 6 in which similarity of document application is used for addition criteria.



- Independent claim 66, the next most broad claim, and dependent claims 67 and 68 are for an apparatus performing the methods of claims 73 to 77 and are similarly rejected.
  
- Independent claim 1 has substantially similar subject matter as claim 73 except as follows and is similarly rejected.
  - *viewing a document among multiple documents in a collection* is shown col. 11 lines 47 to 60.
  - *internal collective representation or user defined specification* is shown fig. 5.
  
- With respect to dependent claim 2, 3 and 12,
  - *cursor selection of a graphical representation including a base representation* is shown fig. 2 to 4.
  
- With respect to dependent claim 4,
  - *building collection by document comparison* is shown by the flow chart in fig. 6.
  
- Dependent claims 5, 6, 11, 13 and 14 are substantially similar in scope to claims 2, 3 and 12 and are similarly rejected.
  
- With respect to dependent claims 15, 16 and 28
  - *adding and removing third documents using display zones* is shown by the flow charts of figures 6 and 7 using the zones defined by the stamps shown in figures 2 to 4.

- With respect to dependent claim 17,
  - *pointing for a predetermined time to display an indicia* is shown col. 10 lines 20 to 35.
- With respect to dependent claims 18 to 27, depending from claim 17,
  - *viewing and pointing to collections of mail showing words and uniqueness* is shown by the figures 2 to 4 and col. 13 lines 30 to 50.
- With respect to dependent claim 29, 30 and 70 to 72,
  - *visual representations of contents and attributes by portraying number of documents or color of display* is shown fig. 3 (number of documents) and inherent operation of display devices (color).
- Independent claim 37 has substantially similar subject matter as claim 1 except as follows and is similarly rejected.
  - *adding a third document* is shown inherently by operation of flow charts in figures 6 and 7.
- With respect to dependent claim 38,
  - *filing system* is shown inherently in disk operations for documents in a computer system.
- With respect to dependent claims 39 to 42,