

EXHIBIT J



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/021,004	05/20/97	CHRISTENSEN	S 04860.P1365C

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EXAMINER DELA TORRE, C

ART UNIT 2773	PAPER NUMBER 23
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DATE MAILED: 09/18/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/821,004	Applicant(s) Christensen	
	Examiner Crescella Delatorre	Group Art Unit 2773	

Responsive to communication(s) filed on Jun 29, 1998

This action is **FINAL**.

Since this application is 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.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-31 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-31 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) _____

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

Art Unit: 2773

DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 6/29/98.

This action is final.

2. Claims 1 - 31 are pending in this application. Claims 1, 11, 15, 25, and 26 are independent claims. In the Amendment, filed on 6/29/98, claims 1, 11, and 15 were amended, and claims 25 - 31 were added.

This application is a CPA of 08/821,004, filed on 3/20/97, which is an FWC of 08/316,237, filed on 9/30/94, now abandoned.

3. The present title of the invention is "Method and Apparatus for Displaying and Accessing Control and Status Information in a Computer System" as originally filed.

Claim Rejections - 35 USC § 112

4. Claims 1 - 31 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.

As per independent claim 1, and the other independent claims 11, 15, 25, and 26, it is not clear how the first window region, which consists of a plurality of display areas, can both be

Art Unit: 2773

independent of any application program and associated with a plurality of individual programming modules, which are associated with different application programs. In other words, how can the plurality of display areas be independent of any application program, when it is associated with those application programs? Unless otherwise noted by applicant, it is presumed by examiner that the amended portion, "wherein the first window region is independent of any application program" means that the first window region is displayed separately from any application program.

Claim Rejections - 35 USC § 102

5. 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 --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 26 - 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Takagi et al. (U.S. patent 4,885,704).

As to claim 26, Takagi et al., hereinafter Takagi, teaches the following subject matter:

a window region independent of any application program, with function area 202, in Fig. 2, the window region having interactive display areas, such as F1 - F4, at col. 4, lines 49 - 52;

Art Unit: 2773

each of the plurality of display areas, F1 - F4, associated with one of a plurality of individual programming modules, such as Scanner, Printer, Display, and File, in Fig. 2;

wherein at least one of the plurality of the individual programming modules is executable to generate information for display in the plurality of display areas, at Figs. 2, 4 - 7, and col. 4, line 42 to col. 5, line 14, and wherein at least one of the display areas is sensitive to user input, at col. 4, lines 49 - 57.

In addition, Takagi teaches that the window region 202, is displayed at a bottom of a display screen [claim 27] as shown at Figs. 2 - 7; that one of the display areas shows status [claim 28] and control [claim 29] information, at Figs. 4 - 7; and that the window region is always on top of other windows [claim 30] as illustrated at Figs. 2 - 7, which shows that windows, such as 201, do not overlap function area 202.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1 - 3, 8 - 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohausz (EPO 0 584 392 A1), based upon the English translation, in view of Takagi et al. (U.S. patent 4,885,704).

Art Unit: 2773

As per claim 1, Cohausz teaches an "interactive computer-controlled display system" with a 'status indicator for a computer program', that comprises:

"a processor" which is inherently taught by Cohausz, since a processor is necessary in order to execute the functions of the status indicator;

"a data display screen" with 'monitor screen' at p. 4, paragraph 5;

"a cursor control device" with a 'mouse cursor' at p. 5, paragraph 2;

"a window generation and control logic" to "create an operating environment for a plurality of individual programming modules" that "provide status and control functions" at the bridging paragraph of pp. 2 - 3, "wherein the window generation and control logic generates and displays a first window region" with oblong field 1, at Figs. 1 - 3, and at p. 4, paragraph 5, "having a plurality of display areas" with individual fields 2, at Fig. 1, and at p. 4, paragraph 5, "wherein each of the plurality of display areas is associated with one of the plurality of individual programming modules" at p. 3, paragraph 2;

"an indicia generation logic" to "execute at least one of the plurality of programming modules to generate information for display in one of the plurality of display areas" at p. 3, paragraph 2, "wherein at least one of the plurality of display areas and its associated programming module is sensitive to user input" at p. 5, paragraph 2, and further using "message-based communication to exchange information to coordinate activities of the indicia generation logic to enable interactive display activity" at p. 3, paragraph 2, which teaches information passing between the status indicator and the respective program area, text, or information segment.

Art Unit: 2773

Regarding claim 1, Cohausz teaches all that is claimed above, but does not teach a status bar with a plurality of individual programming modules associated with different programs, nor does Cohausz teach that the first window region is displayed separately from any application program. Cohausz teaches a status indicator for a single program, wherein the "plurality of individual programming modules" that "provide status and control functions" were interpreted as individual programming fields representing portions of a single program.

On the other hand, Takagi teaches a first window region, with function area 202, which is displayed separately from application programs in window 201, and also teaches that the plurality of individual programming modules, F1 - F4, in function area 202, are associated with different programs, such as Scanner, Printer, Display, and File, at Figs. 2, 4 - 7, and col. 4, line 42 to col. 5, line 14. Thus, Takagi makes up for the missing elements in Cohausz.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a first window region displayed separately from any application program and have "individual programming modules associated with different programs" as taught by Takagi in the invention of Cohausz because it provides a user with access to status and control information of a plurality of application programs in a separate region.

As per claim 2, Cohausz teaches a "control strip" with oblong field 1, at Figs. 1 - 3. Regarding claim 3, Cohausz also teaches that "at least one display area is variably sized" at p. 5, paragraph 1, and p. 6, paragraph 2.

Art Unit: 2773

In addition, Cohausz teaches that "at least one of the plurality of display areas only displays information" [claim 8] at p. 3, paragraph 2, and at Figs. 1 - 3; or "acts to provide access to control information when selected" [claim 9] at p. 3, paragraph 2, or "displays an additional display element" [claim 10] at p. 6, paragraph 3.

In reference to claim 11, Cohausz teaches the following subject matter:

"a processor" which is inherently taught by Cohausz, since a processor is necessary in order to execute the functions of the status indicator;

"a data display screen" with 'monitor screen' at p. 4, paragraph 5;

"a cursor control device" with a 'mouse cursor' at p. 5, paragraph 2;

"a window generation and control logic" to "create an operating environment for a plurality of individual programming modules that provide status and control functions" at the bridging paragraph of pp. 2 - 3, "wherein the window generation and control logic generates and displays a first window region" with oblong field 1, at Figs. 1 - 3, and at p. 4, paragraph 5, "having a plurality of display areas" with individual fields 2, at Fig. 1, and at p. 4, paragraph 5, "wherein each of the plurality of display areas is associated with one of the plurality of individual programming modules" at p. 3, paragraph 2;

"at least one indicia graphics generation logic" that "generates user sensitive graphics for display in at least one data display area by executing at least one of the plurality of programming modules" at p. 3, paragraph 2; and

Art Unit: 2773

wherein the window generation and control logic determines when a data display area has been selected, signals the indicia graphics generation logic, which then initiates a response from said at least one of the plurality of programming modules, also at p. 3, paragraph 2.

As to claim 11, Cohausz teaches all that is claimed above, but does not teach a status bar with a plurality of individual programming modules associated with different programs, nor does Cohausz teach that the first window region is displayed separately from any application program. Cohausz teaches a status indicator for a single program, wherein the “plurality of individual programming modules” that “provide status and control functions” were interpreted as individual programming fields representing portions of a single program.

On the other hand, Takagi teaches a first window region, with function area 202, which is displayed separately from application programs in window 201, and also teaches that the plurality of individual programming modules, F1 - F4, in function area 202, are associated with different programs, such as Scanner, Printer, Display, and File, at Figs. 2, 4 - 7, and col. 4, line 42 to col. 5, line 14. Thus, Takagi makes up for the missing elements in Cohausz.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a first window region displayed separately from any application program and have “individual programming modules associated with different programs” as taught by Takagi in the invention of Cohausz because it provides a user with access to status and control information of a plurality of application programs in a separate region.

Art Unit: 2773

Cohausz also teaches that the "first window region is always visible to the user" [claim 12] at p. 4, paragraph 5, since he teaches that the status indicator is 'visible during the entire program'. As per claims 13, 14, they correspond respectively to claims 2, 3.

As to claim 15, Cohausz teaches the following steps:

"creating an operating environment for a plurality of individual programming modules that provide status and control functions" at p. 2, paragraph 4 to p. 3, paragraph 2;

"generating a first window" with oblong field 1, at Figs. 1 - 3, and at p. 4, paragraph 5, to accommodate a "plurality of display areas for indicia" with individual fields 2, at Figs. 1 - 3, and at p. 4, paragraph 5, resulting from "executing at least one of the plurality of individual programming modules, wherein each of the plurality of display areas is associated with one of the plurality of individual programming modules" at p. 3, paragraph 2;

"displaying an indicia" as shown at Figs. 1 - 3;

"selecting one of the indicia" at p. 5, paragraph 2; and

"said programming module performing a function in response to the selection" at p. 5, paragraph 2.

Regarding claim 15, Cohausz teaches all that is claimed above, but does not teach a status bar with a plurality of individual programming modules associated with different programs, nor does Cohausz teach that the first window region is displayed separately from any application program. Cohausz teaches a status indicator for a single program, wherein the "plurality of

Art Unit: 2773

individual programming modules" that "provide status and control functions" were interpreted as individual programming fields representing portions of a single program.

On the other hand, Takagi teaches a first window region, with function area 202, which is displayed separately from application programs in window 201, and also teaches that the plurality of individual programming modules, F1 - F4, in function area 202, are associated with different programs, such as Scanner, Printer, Display, and File, at Figs. 2, 4 - 7, and col. 4, line 42 to col. 5, line 14. Thus, Takagi makes up for the missing elements in Cohausz.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a first window region displayed separately from any application program and have "individual programming modules associated with different programs" as taught by Takagi in the invention of Cohausz because it provides a user with access to status and control information of a plurality of application programs in a separate region.

In addition, Cohausz teaches "status information" [claim 16] and "control information" [claim 17] at Figs. 1 - 3, and at p. 5, paragraphs 2, 3.

As to claim 18, Cohausz teaches that the first programming module requests a set of features at p. 5, paragraph 2, sends a message to the programming module indicative of features, and the programming module returns a message; such that the programming modules interact with each other in response to user interaction with the first programming module, also at p. 5, paragraph 2.

Art Unit: 2773

Cohausz also teaches the following: that each of the plurality of display areas is individually and variable sized [claims 19, 22] at p. 5, paragraph 1, and p. 6, paragraph 2; the first window region always appears in front of application windows [claims 20, 23] at p. 4, paragraph 5, wherein the status indicator is 'visible during the entire program'; and the first window region is in a 'private window layer' [claims 21, 24] also at p. 4, paragraph 5.

As to claim 25, it corresponds to claim 1.

9. Claims 4 - 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohausz (EPO 0 584 392 A1), based upon the English translation, and Takagi et al. (U. S. Patent 4,885,704), and further in view of Mills et al. (U.S. patent 5,202,961).

Cohausz teaches that the display areas [individual fields 2] of the first window region [oblong field 1] are variably sized at p. 5, paragraph 1, and p. 6, paragraph 2, but does not teach that the first window region is variably sized [claim 4], such that none of the plurality of display areas is visible [claim 5], all are visible [claim 6], or a portion is visible [claim 7]. Nor does Takagi teach the above elements of applicant's invention.

On the other hand, Mills et al., hereinafter Mills, teach that the size of the first window region is variable [claim 4] also at col. 4, lines 8 - 9, and also teaches sizing the first window region so that none of the display areas are visible [claim 5] with close box 28, at Fig. 2, and at col. 4, lines 7 - 8, or all [claim 6] or a portion [claim 7] of the display areas are visible, both at col. 4, lines 8 - 9.

Art Unit: 2773

Although neither Cohausz nor Takagi teach that the first window region is variably sized as claimed in claims 4 - 7, it would have been obvious to one of ordinary skill in the art at the time of the invention to vary the size of the first window region as taught by Mills, because it gives the user control over how much and what to display of the status indicator.

10. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi et al. (U.S. patent 4,885,704) in view of Mills et al. (U.S. patent 5,202,961).

Regarding claim 31, Takagi teaches a window region with function area 202, but does not teach that the window region is resizeable, such that none of the plurality of display areas are shown, all are displayed, or some are displayed.

On the other hand, Mills et al., hereinafter Mills, teach that the size of the window region is variable at col. 4, lines 8 - 9, and also teaches sizing the window region so that none of the display areas are visible, with close box 28, at Fig. 2, and at col. 4, lines 7 - 8, or all or a portion of the display areas are visible, both at col. 4, lines 8 - 9.

Although Takagi does not teach that the window region is variably sized, it would have been obvious to one of ordinary skill in the art at the time of the invention to vary the size of the window region as taught by Mills, because it gives the user control over how much and what to display of the function area.

Art Unit: 2773

Response to Arguments

11. Applicant's arguments with respect to claims 1 - 31 have been considered but are moot in view of the new ground(s) of rejection.

As to independent claims 1, 11, 15, 25, 26, applicant amended each claim to include that the "first window region is independent of any application program". The examiner agrees with applicant that neither Cohausz nor Foster teach that the first window region is displayed separately from any application program. For instance, Foster teaches that the status bar is attached to the application program [see col. 8, lines 30 - 31, and Fig. 3].

However, in an update search, the examiner found the Takagi reference, which when combined with the Cohausz reference, still renders applicant's invention obvious since Takagi teaches a first window region, with function area 202, which is displayed separately from application programs in window 201, and also teaches that the plurality of individual programming modules, F1 - F4, in function area 202, are associated with different programs, such as Scanner, Printer, Display, and File, at Figs. 2, 4 - 7, and col. 4, line 42 to col. 5, line 14.

Regarding the Cohausz reference, the examiner agrees with applicant that Cohausz does not teach individual programming modules associated with different application programs, and that Cohausz does not teach that the "first window region is independent of any application program".

However, the examiner disagrees with applicant that Cohausz does not teach message-based communication, which is defined as "passing information to the module to either tell it what

Art Unit: 2773

to do or to obtain information about the module and its capabilities". Cohausz teaches message-based communication since he teaches that "each of these fields constitutes a control panel or control button, which, upon being activated, branches into the associated program area or executes the associated program function" [see abstract]. Thus, Cohausz teaches passing information to the module to tell it what to do with the step of executing the associated program function.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Responses

13. Responses to this action should be mailed to: Commissioner of Patents and Trademarks,

Art Unit: 2773

Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 305-9724 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquiries

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle dela Torre whose telephone number is (703) 305-9782. The examiner can normally be reached on Mondays-Thursdays from 8:30 am to 4:00 pm, and on alternating Fridays from 8:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim, can be reached at (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.


Crescelle dela Torre
Patent Examiner 2773
Art Unit 2773
September 11, 1998


Matthew M. Kim
Supervisory Patent Examiner
Technology Center 2700

Notice of References Cited			Application No. 08/821,004	Applicant(s) Christensen		
			Examiner Crescille Delatorre	Group Art Unit 2773	Page 1 of 1	
U.S. PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	
A	4,862,389	8/1989	Takagi	345	364 794	
B	4,885,704	12/1989	Takagi et al.	345	166	
C	4,931,957	6/1990	Takagi et al.	345	448 453	
D	5,091,866	2/1992	Takagi	345	342 803	
E	5,640,498	8/1997	Chew	345	488 790	
F	5,678,034	10/1997	Chew	345	511 520	
G	5,757,371	5/1998	Oran et al.	345	348 799	
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FOREIGN PATENT DOCUMENTS						
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