THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DROR GERSHON FEITELSON
BLAKE G. FITCH and
MARK E. GIAMPAPA

Appeal No. 96-2141
Application 07/965,590[1]

ON BRIEF

Before THOMAS, HAIRSTON and TORCZON, Administrative Patent Judges.

THOMAS, Administrative Patent Judge.

DECISION ON APPEAL

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[1] Application for patent filed October 23, 1992.

Appellants have appealed to the Board from the examiner's final rejection of claims 1 to 26, which constitute all the claims in the application.

Representative claim 1 is reproduced below:

1. A user interface for managing text I/O between a user and a parallel program, comprising:

a user terminal for communicating with a parallel processing system executing a parallel program, said parallel program including a plurality of individual tasks which may be executing in parallel with each other, said user terminal having a display screen;

an I/O status manager for continuously displaying an array of text I/O status indicators on said screen, each one of said tasks corresponding uniquely to a different one of said text I/O status indicators, each of said text I/O status indicators having a first designated graphical state for indicating that a particular task corresponding to said each text I/O status indicator has text output that has not been displayed yet on said screen and a second designated graphical state for indicating that said particular task is requesting text input from said user terminal; and

a text I/O manager controllable by a user at said terminal for opening an I/O window in said screen corresponding to any selected text I/O status indicator, said I/O window displaying text I/O for the particular task which corresponds to said selected text I/O status indicator.

The following references are relied on by the examiner:

Cliff et al. (Cliff)	4,713,656	Dec. 15, 1987
Noguchi et al. (Noguchi)	5,237,653	Aug. 17, 1993 (Filed June 04, 1987)

Claims 1 to 26 stand rejected under 35 U.S.C. § 103. As evidence of obviousness, the examiner relies upon Cliff in view of Noguchi.

Rather than repeat the positions of the appellants and the examiner, reference is made to the brief and the answer for the respective details.

OPINION

We reverse the outstanding rejection of claims 1 to 26 under 35 U.S.C. § 103.

Both independent claims 1 and 26 on appeal require a parallel processing system operating on a parallel program having plural tasks. From an architectural point of view, both references relied upon by the examiner each relate to single processor-based systems rather than the claimed multiprocessor-based system. Thus, the combined teachings of the references would not have met this major structural requirement of each independent claim on appeal even though we recognize and appellant appears to recognize that both references relate to a multi-programming or multitasking environment consistent with the parallel program aspects of the claims on appeal.

The major dispute between appellants and the examiner revolves around the feature of independent claims 1 and 26 that each text I/O status indicator has a first displayed state indicating that the task has text output that has not been displayed yet to the user on the screen and a second visually displayed state for indicating that the task is requesting text input from the user's terminal. The examiner's view among the collective teachings of Cliff and Noguchi is that Cliff essentially teaches that his graphical indications on screen of programs awaiting user input may have been "better represented" as a graphical display as per Noguchi's approach which also shows an icon display arrangement for a program indicating task completion. These respective features of the two references appear to be argued to relate to the corresponding two displayed states in the independent claims on appeal.

Although we may agree with the examiner's view that the visual output to the user may be better represented by Noguchi's approach, the actual analytical approach taken by the examiner is to pick and choose features of the respective references to put them together into a single system as represented by the claims on appeal. Our detailed study of both references lead us to conclude that there is no teaching or suggestion or inferences

that the artisan would have reasonably derived from each and both references to have justified the examiner's line of reasoning to combine the features of the two references to arrive at the claimed invention without the view of prohibited hindsight of appellants' disclosed and claimed invention. That certain features may have been desirable or could have been desirable to have been combined from Cliff's and Noguchi's teachings, showings or suggestions is all that we may ascertain from the examiner's position and our own consideration of each of the references. This conclusion of the examiner does not rise to the level of understanding that is required for a valid rejection under 35 U.S.C. § 103, that the claimed subject matter would have been obvious to the artisan in light of the prior art relied on.

The nature and quality of evidence of obviousness provided by Cliff and Noguchi, coupled with the examiner's reasoning, does not lead us to conclude that the subject matter of independent claims 1 and 26 would have been obvious to the artisan within 35 U.S.C. § 103. We, therefore, reach a similar conclusion with respect to dependent claims 2 through 25.

Accordingly, the decision of the examiner is reversed.

REVERSED

JAMES D. THOMAS Administrative Patent Judge	)
KENNETH W. HAIRSTON Administrative Patent Judge	) BOARD OF PATENT) APPEALS AND) INTERFERENCES
RICHARD TORCZON Administrative Patent Judge	)

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