

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GUNILLA A. SUNDSTROM,
ANTHONY C. SALVADOR, and
THOMAS F. MERTZIG

Appeal No. 1997-2769
Application No. 08/138,649

ON BRIEF

Before THOMAS, BARRETT, and GROSS, Administrative Patent Judges.
GROSS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claim 1, which is the only claim pending in this application.

Appellants' invention relates to a computer system for monitoring telecommunication switches in which the status of the telecommunication switches is displayed and the display

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can be configured by the operator. Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A computer system for monitoring a plurality of telecommunication switches in a telecommunications network comprising:

input means for receiving network events consisting of alarms and messages reporting a failure from a telecommunication switch in the telecommunications network;

display means for graphically presenting, using icons, only the highest existing severity level of said network events for an individual telecommunications switch, and presenting diagnostic routines executing for said telecommunications switch for curing the said failure of the telecommunications switch;

wherein the presentation of the display means is dynamically configurable.

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Welch et al. (Welch)	5,319,363	Jun. 07, 1994
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(filed Aug. 20, 1992)

Appellants' Admitted Prior Art as disclosed on page 1, line 14 to page 2, line 20 of the specification (APA)

Claim 1 stands rejected under 35 U.S.C. § 103 as being unpatentable over APA in view of Welch.

Reference is made to the Examiner's Answer (Paper No. 13, mailed August 26, 1996) for the examiner's complete reasoning

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in support of the rejection, and to appellants' Brief (Paper No. 12, filed April 22, 1996) and Reply Brief (Paper No. 18, filed October 28, 1996) for appellants' arguments thereagainst.

OPINION

We have carefully considered the claims, the applied prior art references, and the respective positions articulated by appellants and the examiner. As a consequence of our review, we will reverse the obviousness rejection of claim 1.

At the outset, we note that it is unclear to us how the examiner proposes to combine the two systems. However, assuming arguendo that the two systems can be combined, the combination still fails to yield the claimed invention.

The claim requires "presenting, using icons, only the highest existing severity level of said network events." The examiner refers to column 1, lines 63-66, as evidence that Welch discloses displaying only the highest severity level. However, the cited portion of Welch merely states that in the prior art only certain types of information could be displayed, such as information related to the heart. The cited portion does not suggest that only the highest severity

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level is displayed. Welch does disclose (column 11, lines 24-26) that "the display of icons for inactive bedsides can be suppressed to reduce the number of icons presented to the user." Thus, Welch does suggest that icons that do not present significant information should be eliminated.

However, nowhere does Welch teach or suggest eliminating all but the most severe conditions from the display. In fact, in Welch's system, to correctly monitor a patient's status, the nurses would need to see at least all levels of alarm, not just the most severe.

Further, claim 1 recites that alarms report a failure from a telecommunication switch and that the display presents "diagnostic routines executing ... for curing the said failure of the telecommunications switch." In Welch, alarms report a failure in the patient. The user controls operations of the device in response to the alarms. Thus, although the display is interactive, the user does not cure the failure (i.e., of the patient) reported by the alarm, the user only adjusts the device. Furthermore, there is no suggestion in Welch to report an alarm if a device fails nor to run a diagnostic routine to cure a failure of the device. Therefore, the

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combination of the admitted prior art and Welch fails to meet every limitation of the claim. Accordingly, we cannot sustain the rejection.

CONCLUSION

The decision of the examiner rejecting claim 1 under 35 U.S.C. § 103 is reversed.

REVERSED

JAMES D. THOMAS)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
LEE E. BARRETT)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
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ANITA PELLMAN GROSS)	
Administrative Patent Judge)	

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