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bjfitzpa@us.ibm.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LLUIS MORA HIDALGO and XABIER PANADERO
LLEONART

Appeal 2009-012442
Application 09/859,123
Technology Center 2400

Before ALLEN R. MacDONALD, ROBERT E. NAPPI, and BRUCE R.
WINSOR, *Administrative Patent Judges*.

MacDONALD, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF CASE

Introduction

Appellants appeal under 35 U.S.C. § 134 from a rejection of claims 24-88. We have jurisdiction under 35 U.S.C. § 6(b).

Exemplary Claims

Exemplary claims 24 and 50 under appeal read as follows:

24. A method for abstracting from and encapsulating security information in a communication comprising:

receiving at a security server a communication bound from a first entity to a second entity over a network;

abstracting the communication to derive an expected value associated with a parameter to be sent by the second entity to the first entity in a subsequent request associated with the communication;

generating a token associated with the expected value, the token configured to allow the comparison of an actual value of the parameter to the expected value;

encapsulating the token in the communication; and

transmitting the communication to the second entity.

50. A method for validating communications received over a network, comprising:

receiving at a security server a request bound from a second entity to a first entity over a network; and

identifying a token encapsulated in the request;

determining an expected value of a parameter associated with the request based at least in part on the token;

determining the actual value of the parameter associated with the request;

comparing the actual value to the expected value; and

transmitting the request to the first entity if the actual value corresponds to the expected value.

*Rejections on Appeal*¹

The Examiner rejected claims 24-37, 40-63, and 66-88 under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCarthy (US 6,760,844 B1) and Olkin (US 2003/0046533 A1).

The Examiner rejected claims 38, 39, 64, and 65 under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCarthy, Olkin, and Wallace (US 2002/0152378 B1).

Appellants' Contentions

1. Appellants contend that the Examiner erred in rejecting claim 24 because:

McCarthy does not teach or suggest "abstracting the communication to derive an expected value associated with a parameter to be sent by the second entity to the first entity in a subsequent request associated with the communication; generating a token associated with the expected value, the token configured to allow the comparison of an actual value of the parameter to the expected value; [and] encapsulating the token in the communication" as claimed in claim 24. McCarthy describes a session level security scheme in which a user supplies security credentials that are used by a transaction server to determine the level of access a user requires during the session. Nowhere does McCarthy describe "abstracting the communication to derive an expected value." Nor does McCarthy describe generating a token "configured to allow the comparison of the parameter to the expected value."

(App. Br. 9-10).

¹ Separate patentability is not argued for claims 25-49 and 51-88. Rather, Appellants merely repeat or reference the arguments presented for claims 24 and 50.

2. Appellants contend that the Examiner erred in rejecting claim 50 because:

McCarthy does not teach or suggest a method comprising determining an expected value based in at least in part on a token encapsulated in a request and then comparing the actual value in the request to the determined expected value. Instead, McCarthy compares a set of credentials supplied by a user with a set of credentials stored on a server to validate a user.

(App. Br. 10-11).

Issues on Appeal

Did the Examiner err in rejecting claims 24 and 50 as being obvious because the references fail to teach or suggest the claim limitations at issue?

ANALYSIS

We have reviewed the Examiner's rejections in light of Appellants' arguments that the Examiner has erred.

We disagree with Appellants' conclusions. We adopt as our own (1) the findings and reasons set forth by the Examiner in the action from which this appeal is taken and (2) the reasons set forth by the Examiner in the Examiner's Answer in response to Appellants' Appeal Brief (see particularly Ans. 21-22 and 28-29). We concur with the conclusion reached by the Examiner.

CONCLUSIONS

- (1) The Examiner has not erred in rejecting claims 24-88 as being unpatentable under 35 U.S.C. § 103(a).
- (2) Claims 24-88 are not patentable.

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DECISION

The Examiner's rejections of claims 24-88 are affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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