



**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re Application of: Jean-Marc Trinon Olivier Pignault	§ § §	Confirmation No.: 1888  Group Art Unit: 2857
Assignee: BMC Software, Inc.	§ §	Examiner: Hal D. Wachsman
Serial No.: 10/377,092	§ §	Examiner phone: 571-272-2225
Filed: February 28, 2003	§ §	
For: <b>System and Method for Assessing and Indicating the Health of Components</b>	§ § §	Atty. Dkt. No.: 149-0115US

**RESPONSE TO OFFICE ACTION MAILED MARCH 5, 2008**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the above-identified Office Action, please amend the application as follows:

- Amendments to the Abstract begin on page 2 of this Reply.
- Amendments to the Specification begin on page 3 of this Reply.
- Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this Reply.
- Remarks begin on page 11 of this Reply.
- A substitute drawing accompanies, and is part of, this Reply.
- A computer program listing accompanies, and is part of, this Reply, on compact disc.
- A replacement Declaration accompanies, and is part of, this Reply.

**AMENDMENT TO THE ABSTRACT**

Replace the Abstract with the following rewritten paragraph. This amendment introduces no new matter.

A system and method for visualization of the components of an enterprise system ~~such systems~~ and the rendering of information about the ~~[[“]]health[[”]]~~ or status of the enterprise system, its components, and/or its subcomponents. The invention ~~comprises using~~ uses a combination of color codes or other indicators and a combination of algorithms and/or rules-based systems to control the computation of status/severities to associate to components and setup the color codes and indicators. ~~The invention remedies the disadvantages of using a single color code or indicator for providing feedback on the health/status or components in a complex Enterprise System.~~

### AMENDMENTS TO THE SPECIFICATION

Unless otherwise noted, paragraph numbers in this document reference the application as published by the Patent Office, Patent Application No. 2004/0024571, filed 28 February 2003, Serial No. 10/377,092.

Replace paragraph [0001] with the following rewritten paragraph. This amendment introduces no new matter, and is not made for any reason related to the claimed subject matter's patentability.

[0001] This application claims ~~benefit to~~ priority to Provisional Application Ser. No. 60/360,742 filed on Mar. 1, 2002, which is incorporated herein by reference.

Add the following new paragraph after paragraph [0001]. This amendment introduces no new matter, and is not made for any reason related to the claimed subject matter's patentability.

This application incorporates by reference the program code provided on compact disc, in duplicate, contained in file "10377092\_\_ComputerListing," created on June 05, 2008, and consisting of 10.3 KB.

Replace paragraph [0006] with the following rewritten paragraph. This amendment introduces no new matter, and is not made for any reason related to the claimed subject matter's patentability.

[0006] An expandable tree (like in the left window of the ~~Windows® Explorer~~ WINDOWS® EXPLORER); and

Replace paragraph [0016] with the following rewritten paragraph. This amendment introduces no new matter, and is not made for any reason related to the claimed subject matter's patentability.

[0016] Some variations have been introduced, ~~to that~~ but they still use one single color code. For example, in HP™ ~~OpenView~~ OPENVIEW, the color of a component can be the result of a computation that is looking at the percentage of components at a given severity level to decide about the severity to associate to the component that they are part of or that depends on them. Additionally, BMC Software has created PATROL® Explorer which uses ~~Windows® Explorer-like~~ WINDOWS® EXPLORER-like displays to portray the enterprise hierarchically and topical maps to display the enterprise geographically or logically. Moreover, ~~Tivoli™ Business Systems Manager~~ TIVOLI™ BUSINESS SYSTEMS MANAGER uses hyperbolic technology to provide information such as how an outage affects enterprise resources and relationships.

Replace paragraph 0046 with the following rewritten paragraph. This amendment introduces no new matter, and is not made for any reason involved with patentability.

[0046] ~~The following code~~ program code incorporated by reference provides but one example of how to accomplish the intent of this invention. Those skilled in the art will recognize that significant deviation from this algorithm is still well within the scope of the invention. Though certainly not restrictive of the embodiments that are considered to be within the scope of the invention, the following code offers one embodiment and those skilled in the art will realize that significant variation from this embodiment is meant to be within the scope of this invention.

Remove the program code listing on pages 10-22 of the original specification. This program code listing has been moved to a program code listing appendix.

### AMENDMENTS TO THE CLAIMS

Assignee acknowledges that duplicate claims 8 were originally filed. Assignee further notes that the Examiner has renumbered the originally filed claims 9-21. Office Action at page 4, ¶ 7. Assignee understands this act to be an Examiner's Amendment and accepts same. Accordingly, the claims presented here assume such renumbering.

The below listing of claims will replace all prior versions, and listings, of claims in the application.

1. (currently amended) A method for indicating the health status of an IT component and at least one IT subcomponent wherein each IT subcomponent is dependent on the IT component, the method ~~which~~ comprising the steps of:
  - (a) computing a component health status of the IT component;
  - (b) computing a subcomponent health status for each IT subcomponent;
  - (c) rendering health status of the IT component by showing a first indicator for the IT component and a second indicator for the IT subcomponents.
2. (currently amended) The method of claim 1 wherein the first indicator is a first color and the second indicator is a second color.
3. (currently amended) The method of claim 2 wherein the first and second colors are different.
4. (original) The method of claim 1 wherein Step (a) further comprises using rules-based systems to control the computation of the health status.
5. (original) The method of claim 1 wherein Step (b) further comprises using rules-based systems to control the computation of the health status.

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