

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

Paper No. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte CLAUDE GOODMAN, ALAN LYON  
and DANIEL WILDERMUTH

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Appeal No. 2001-0769  
Application No. 09/237,791

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ON BRIEF

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Before PAK, WALTZ, and DELMENDO, Administrative Patent Judges.  
PAK, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on an appeal under 35 U.S.C. § 134 from the examiner's final rejection of claims 30 through 39 and 41, which are all of the claims pending in the above-identified application.

APPEALED SUBJECT MATTER

Claim 30 is representative of the subject matter on appeal and reads as follows:

30. A process for forming an anisotropic, auto-collimating imaging screen using vapor deposition techniques, which comprises:
  - a) positioning an imaging screen substrate on a substrate fixture;

- b) positioning said substrate fixture in a vapor deposition chamber having a vapor generator, said substrate fixture being positioned at an oblique angle to said vapor generator;
- c) introducing phosphor constituents into said vapor generator capable of forming a vapor of said phosphor constituents;
- d) placing said chamber under an inert atmosphere;
- e) activating said vapor generator to form an ingot pool of said phosphor constituents and thereby generate said vapor of said phosphor constituents;
- f) directing said vapor of said phosphor constituents towards said substrate fixture;
- g) maintaining a constant height of said ingot pool of said phosphor constituents in said vapor generator; and
- h) rotating said substrate fixture for a time sufficient to effect deposition of a phosphor complex on said imaging screen substrate to thereby form said anisotropic, auto-collimating imaging screen.

PRIOR ART

In support of his rejections, the examiner relies on the following prior art references:

Blecherman et al. (Blecherman)	3,889,019	Jun. 10, 1975
Brixner et al. (Brixner)	5,380,599	Jan. 10, 1995
Goodman et al. (Goodman)	5,427,817	Jun. 27, 1995

REJECTION

The appealed claims stand rejected as follows:

- 1) Claims 30, 31, 35 through 39 and 41 under 35 U.S.C. § 103 as unpatentable over the combined disclosures of Goodman and Blecherman; and
- 2) Claims 32 through 34 under 35 U.S.C. § 103 as unpatentable over the combined disclosures of Goodman, Blecherman and Brixner.

OPINION

We have carefully reviewed the claims, specification and prior art, including all of the evidence and arguments advanced by both the examiner and appellants in support of their respective positions. This review leads us to conclude that the examiner's Section 103 rejections are not well founded. Accordingly, we will not sustain the examiner's Section 103 rejections for essentially those reasons set forth in the Brief. We add the following primarily for emphasis.

The claimed subject matter is directed to a vapor deposition process for forming an anisotropic, auto-collimating imaging screen. See claim 30. This vapor deposition process requires, *inter alia*, positioning a substrate fixture (32) at an oblique angle to the exit port (21) of a vapor generator (15). See claim 30 together with the specification, page 4, lines 1-7 and Figure 1. By positioning the substrate fixture in this manner, substrates (34) are placed at an oblique angle to the exit port (21) of the vapor generator (15) during the entire vapor deposition process. See, e.g., the Brief, page 7 and Figure 1. This arrangement, according to page 4, lines 1-7, of the specification, is said to improve "uniformity of the coating thickness."

The examiner finds that Goodman teaches placing a substrate fixture at an oblique angle to the exit port of a vapor generator.<sup>1</sup> See the Answer, page 4. However, we only observe that Goodman teaches employing a rotating circular substrate fixture in which the substrates attached thereon can be facing during one point of the rotation at an oblique angle to the exit port of a vapor generator. See Goodman, column 2, lines 58-64 and column 3, lines 40-64, together with Goodman, Figure 1. We find nothing in Goodman teaching or suggesting the placement of the substrate fixture itself at an oblique angle to the exit port of a vapor generator. See Goodman in its entirety. Nor do we find anything in Goodman that recognizes the advantage of placing a substrate fixture at an oblique angle to the exit port of a vapor generator. *Id.*

Under these circumstances, we concur with the appellants that the examiner has not established a *prima facie* case of obviousness regarding the claimed subject matter. Accordingly, we are constrained to reverse the examiner's decision rejecting claims 30 through 39 and 41 under 35 U.S.C. § 103.

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<sup>1</sup> The examiner does not rely on the remaining applied prior art references for teaching this claimed feature.

Appeal No. 2001-0769  
Application No. 09/237,791

REVERSED

CHUNG K. PAK	)	
Administrative Patent Judge	)	
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	)	
	)	
	)	BOARD OF PATENT
THOMAS A. WALTZ	)	APPEALS
Administrative Patent Judge	)	AND
	)	INTERFERENCES
	)	
	)	
	)	
ROMULO H. DELMENDO	)	
Administrative Patent Judge	)	

CKP/lp

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