Paper No. 11

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte DAVID J. PELS, VIATCHESLAV PRONKINE,
SEAN PATRICK RYAN and RONALD C. VALENTI

Appeal No. 2003-0271
Application No. 09/592,058

ON BRIEF

Before ABRAMS, NASE, and BAHR, Administrative Patent Judges.

NASE, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection (Paper No. 6, mailed November 23, 2001) of claims 1 to 20, which are all of the claims pending in this application.

We AFFIRM.

BACKGROUND

The appellants' invention relates to the field of electromagnetic interference, and in particular to a connector that suppresses electromagnetic interference from IEEE-1394 connectors (specification, p. 1). A copy of the claims under appeal is set forth in the appendix to the appellants' brief.

The prior art reference of record relied upon by the examiner in rejecting the appealed claims is:

Weidler et al. (Weidler)	6,033,263	Mar. 7, 2000

Claims 1, 2, 4 to 7, 9, 10, 12 to 18 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Weidler.

Claims 3, 8, 11 and 19 stand rejected under 35 U.S.C. § 103 as being unpatentable over Weidler.

Rather than reiterate the conflicting viewpoints advanced by the examiner and the appellants regarding the above-noted rejections, we make reference to the answer (Paper No. 9, mailed July 12, 2002) for the examiner's complete reasoning in support of

the rejections, and to the brief (Paper No. 8, filed April 30, 2002) for the appellants' arguments thereagainst.

OPINION

In reaching our decision in this appeal, we have given careful consideration to the appellants' specification and claims, to the applied prior art reference, and to the respective positions articulated by the appellants and the examiner. As a consequence of our review, we make the determinations which follow.

Initially we note that the objection to claims 9 and 20 under 37 CFR § 1.75(c) relates to a petitionable matter and not to an appealable matter. See Manual of Patent Examining Procedure (MPEP) §§ 1002 and 1201. Accordingly, we can not review this objection argued by the appellants in the brief (pp. 4-5) and responded to by the examiner in the answer (pp. 8-9).

The anticipation rejection

We sustain the rejection of claims 1, 2, 4 to 7, 9, 10, 12 to 18 and 20 under 35 U.S.C. § 102(e).

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. Inc. v. Union Oil Co., 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.), cert. denied, 484 U.S. 827 (1987). The inquiry as to whether a reference anticipates a claim must focus on what subject matter is encompassed by the claim and what subject matter is described by the reference. As set forth by the court in Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983), cert. denied, 465 U.S. 1026 (1984), it is only necessary for the claims to "'read on' something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or 'fully met' by it."

Claims 1, 10 and 15, the independent claims on appeal, read as follows:

1 . An electronic assembly comprising:
a chassis that is configured to provide a chassis ground, the chassis having a surface with an opening for receiving a connector,
a first circuit board that includes the connector, the connector having: a conductive outer shell, and one or more receptacles for receiving signals that are coupled to components on the first circuit board, and
a suppression plate that is configured to provide a galvanically isolated high frequency coupling between the conductive outer shell of the connector and the chassis in proximity to the opening of the chassis that receives the connector, wherein the suppression plate includes a second circuit board.

10. A method of manufacturing an electronic assembly comprising:
providing a chassis that is configured to provide a chassis ground, the chassis having a surface with an opening for receiving a connector,

providing a first circuit board that includes the connector, the connector having: a conductive outer shell, and one or more receptacles for receiving signals that are coupled to components on the first circuit board, and

providing suppression plate that is configured to provide a galvanically isolated high frequency coupling between the conductive outer shell of the connector and the chassis in proximity to the opening of the chassis that receives the connector when the first circuit board and the suppression plate are attached to the chassis, wherein the suppression plate includes a second circuit board, and

attaching the first circuit and the suppression plate to the chassis.

15. An EMI suppression plate comprising:

a circuit board that includes:

one or more contact items that provide electrical contact between a conductive outer shell of a connector and a first conductor on the circuit board, and

one or more capacitors that are configured to couple high frequency signals from the first conductor on the circuit board to a second conductor on the circuit board that is configured to become electrically coupled to a chassis ground when the EMI suppression plate is attached to a chassis,

thereby providing galvanic isolation between the outer shell of the connector and the chassis ground while also providing a high frequency coupling between the outer shell of the conductor and the chassis ground.

Weidler's invention relates to an electrical connector which is capacitively coupled to the chassis of an electrical device. As shown in Figures 1-9, Weidler's invention is a capacitive coupling assembly 60 for an electrical connector 10, where the connector comprises a dielectric housing 12 holding a plurality of contacts 16 and a conductive shell 14 on the housing. The capacitive coupling assembly 60 is electrically coupled to the conductive shell 14, and comprises a dielectric member 61 which is sandwiched between conductive sheets 62, 63, the dielectric member 61 holding one or

more capacitors 72 that are operably connected to effect a capacitance between the conductive sheets 62, 63, to block low frequency current from electrical potential between the conductive shell 14 and a conductive panel 4 to which the connector 10 is to be mounted, at a cutout 5 thereof. Conductive sheet 62 engages the conductive panel 4 and first electrodes of the capacitors 72, and conductive sheet 63 engages the conductive shell 14 and second electrodes of the capacitors 72. Any difference in ground potential between the conductive shell 14 and the conductive panel 4 is directed through conductive sheet 62 and the capacitors 72 which will block passage of low frequency current.

The appellants essentially argue (brief, pp. 6-8) that Weidler lacks (1) a suppression plate that is configured to provide a galvanically isolated high frequency coupling between the conductive outer shell of the connector and the chassis in proximity to the opening of the chassis that receives the connector, wherein the suppression plate includes a second circuit board as recited in claims 1 and 10; and (2) an EMI suppression plate comprising a circuit board that includes one or more capacitors that are configured to couple high frequency signals from a first conductor on the circuit board to a second conductor on the circuit board that is configured to become electrically coupled to a chassis ground when the EMI suppression plate is attached to a chassis, thereby providing galvanic isolation between the outer shell of the connector

and the chassis ground while also providing a high frequency coupling between the outer shell of the conductor and the chassis ground as recited in claim 15.

The examiner asserts (answer, pp. 9-11) that the above-noted limitations of claims 1, 10 and 15 are readable on Weidler's capacitive coupling assembly 60. Specifically, the examiner determined that Weidler's dielectric member 61 was a circuit board and that Weidler's conductive sheets 62, 63 and connected capacitors 72 was a circuit. The examiner further determined that Weidler's capacitive coupling assembly 60 inherently provides a galvanically isolated high frequency coupling between the conductive shell 14 of the connector 10 and the conductive panel 4.

In our view, the examiner has presented a prima facie case of anticipation.[1] The USPTO applies to the verbiage of the claims before it the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description contained in the appellants' specification. In re Morris, 127 F.3d 1048, 1054, 44 USPQ2d 1023, 1027 (Fed. Cir. 1997). See also In re Sneed, 710 F.2d 1544, 1548, 218 USPQ 385, 388 (Fed. Cir. 1983). The American

[1] It is well settled that the burden of establishing a prima facie case of anticipation resides with the United States Patent and Trademark Office (USPTO). See In re Piasecki, 745 F.2d 1468, 1472, 223 USPQ 785, 788 (Fed. Cir. 1984).

Heritage Dictionary of the English Language, Third Edition, (1992) defines "circuit board" as "[a]n insulated board on which interconnected circuits and components such as microchips are mounted or etched" and defines "circuit" as "[a] configuration of electrically or electromagnetically connected components or devices." With these definitions, it is our determination that the claimed second circuit board of claims 1 and 10 and the circuit board of claim 15 are readable on Weidler's dielectric member 61 on which interconnected conductive sheets 62, 63 and capacitors 72 (which constitute circuits) are mounted. Lastly, we agree with the examiner that Weidler's capacitive coupling assembly 60 which blocks passage of low frequency current will inherently provide a galvanically isolated high frequency coupling between the conductive shell 14 of the connector 10 and the conductive panel 4.

For the reasons set forth above, claims 1, 10 and 15 are anticipated by Weidler. Accordingly, the decision of the examiner to reject independent claims 1, 10 and 15 under 35 U.S.C. § 102(e) is affirmed. The appellants have grouped claims 1 to 20 as standing or falling together.[2] Thereby, in accordance with 37 CFR § 1.192(c)(7), claims 2, 4 to 7, 9, 12 to 14, 16 to 18 and 20 fall with claims 1, 10 and 15. Thus, it follows that the decision of the examiner to reject claims 2, 4 to 7, 9, 12 to 14, 16 to 18 and 20 under 35 U.S.C. § 102(e) is also affirmed.

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[2] See page 4 of the appellants' brief.

The obviousness rejection

Dependent claims 3, 8, 11 and 19 have not been separately argued by the appellants. In fact, as set forth above, the appellants have grouped claims 1 to 20 as standing or falling together. Accordingly, these claims will be treated as falling with their parent claims. See In re Young, 927 F.2d 588, 590, 18 USPQ2d 1089, 1091 (Fed. Cir. 1991); In re Nielson, 816 F.2d 1567, 1572, 2 USPQ2d 1525, 1528 (Fed. Cir. 1987); and In re Wood, 582 F.2d 638, 642, 199 USPQ 137, 140 (CCPA 1978). Thus, it follows that the examiner's rejection of claims 3, 8, 11 and 19 under 35 U.S.C. § 103 is also sustained.

CONCLUSION

To summarize, the decision of the examiner to reject claims 1, 2, 4 to 7, 9, 10, 12 to 18 and 20 under 35 U.S.C. § 102(e) is affirmed and the decision of the examiner to reject claims 3, 8, 11 and 19 under 35 U.S.C. § 103 is affirmed.

AFFIRMED

NEAL E. ABRAMS Administrative Patent Judge	)
JEFFREY V. NASE Administrative Patent Judge	) BOARD OF PATENT) APPEALS) AND) INTERFERENCES
JENNIFER D. BAHR Administrative Patent Judge	)

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