Paper No. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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Ex parte HEINZ KLEMM, MICHAEL KUSTNER,
and GERHARD NUSSLE

_____

Appeal No. 2003-0434
Application 09/277,954

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ON BRIEF

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Before HAIRSTON, JERRY SMITH, and FLEMING, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1 through 10.

The disclosed invention relates to a method of character recognition in which character recognition starts before a complete data set has been transferred in a serial manner from a reading memory to a working memory.

Claim 1 is the only independent claim on appeal, and it reads as follows:

1. A method for character recognition for a character recognition system having a reading memory, a working memory, an entry device and a recognition device, with said method including the steps of: storing a dataset of memory character sequences in the reading memory; transferring the character sequences from the reading memory into the working memory in a serial manner; in the recognition device, deriving an association of an entered-character sequence provided by the entry device with one of the transmitted memory character sequences by the linking of the supplied entered-character sequence with the contents of the working memory; and, wherein the stored character sequences are represented in a hierarchical branched structure having a plurality of branch levels, and, said step of transferring the character sequence data of the dataset includes transmitting the partial data of successive structural branch levels one after another over time, and causing the recognition device to already receive the possible linking of a possibly-present entered-character sequence having the still-incomplete contents of the working memory before the transfer of the entire dataset is complete.

The references relied on by the examiner are:

Nozaki et al. (Nozaki)	5,835,635	Nov. 10, 1998
Yoshii et al. (Yoshii)	5,982,933	Nov. 9, 1999 (filed Dec. 31, 1996)

Claims 1 through 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Nozaki.

Claims 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nozaki in view of Yoshii.

Reference is made to the briefs (paper numbers 12 and 14) and the answer (paper number 13) for the respective positions of the appellants and the examiner.

OPINION

We have carefully considered the entire record before us, and we will reverse the anticipation rejection of claims 1 through 8, and the obviousness rejection of claims 9 and 10.

Turning first to the anticipation rejection, Nozaki discloses (Figures 1 and 2) a character recognition system that includes a reading memory (i.e., memory 13), a working memory (i.e., main memory 3), an entry device (i.e., digitizer 11) and a recognition device (i.e., character recognition section 21). Nozaki stores a dataset of memory character sequences in the reading memory, and transfers the character sequences from the reading memory into the working memory (column 4, lines 17 through 20).

According to the examiner (answer, pages 3, 4, 7 and 8), Nozaki transfers the character sequences in a serial manner from the reading memory to the working memory, and causes the character recognition device to receive the possible linking of a character sequence before the transfer of the entire dataset is completed to the working memory.

Appellants argue (brief, page 10; reply brief, page 4) that there is no mention in Nozaki of how the transfer of the data from the reading memory 13 to the working memory 3 is carried out. We agree with appellants' argument. Nozaki merely states

that data is transferred. The examiner's contentions (answer, page 8) to the contrary notwithstanding, the mere fact that the tree structure disclosed by Nozaki (Figure 3) and the tree structure disclosed by appellants (Figures 1 through 3) are similar does not mean that they were transferred to their respective working memories in the same manner (i.e., a serial manner). As indicated by the appellants (reply brief, page 4), the character sequences in Nozaki could have been transferred into the working memory in a parallel manner. We additionally agree with the appellants' argument (brief, page 10) that Nozaki performs character prediction in the character prediction section 23 "based upon a partial input character string" entered by the user of the entry device 11 (column 4, lines 30 through 41), and does not "begin the prediction process using a partial dictionary" (i.e., incomplete dataset) in the working memory.

In view of the foregoing, the anticipation rejection of claims 1 through 8 is reversed because Nozaki does not disclose all of the limitations of independent claim 1.

The obviousness rejection of claims 9 and 10 is reversed because the voice recognition teachings of Yoshii do not cure the noted shortcomings in the teachings of Nozaki.

DECISION

The decision of the examiner rejecting claims 1 through 8 under 35 U.S.C. § 102(e) is reversed, and the decision of the examiner rejecting claims 9 and 10 under 35 U.S.C. § 103(a) is reversed.

REVERSED

KENNETH W. HAIRSTON Administrative Patent Judge	)	
JERRY SMITH Administrative Patent Judge	)	BOARD OF PATENT APPEALS AND INTERFERENCES
MICHAEL R. FLEMING Administrative Patent Judge	)	

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