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for publication and is not binding precedent of the Board.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. 11

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte KURT STEHLE

Appeal No. 2003-1520
Application No. 09/670146

ON BRIEF

Before CRAWFORD, BAHR, and LEVY, Administrative Patent Judges.

CRAWFORD, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 1 to 4, which are all of the claims pending in this application.

The appellant's invention relates to a method for controlling print nozzles of a full-line printing head in an inkjet printer (specification, p. 1). A copy of the claims under appeal is set forth in the appendix to the appellant's brief.

The prior art references

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Paroff et al. (Paroff)	5,847,674	Dec. 8, 1998
Sevier et al. (Sevier)	5,912,448	Jun. 15, 1999
Campbell	6,027,203	Feb. 22, 2000
Wen	6,109,745	Aug. 29, 2000

The rejections

Claims 1 and 4 stand rejected under 35 U.S.C. § 103 as being unpatentable over Wen in view of Sevier.

Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Wen in view of Sevier as applied to claim 1 above and further in view of Paroff.

Claim 3 stands rejected under 35 U.S.C. § 103 as being unpatentable over Wen in view of Sevier as applied to claim 1 and further in view of Campbell.

Rather than reiterate the conflicting viewpoints advanced by the examiner and the appellant regarding the above-noted rejections, we make reference to the answer (Paper No. 9, mailed August 28, 2002) for the examiner's complete reasoning in support of the rejections, and to the brief (Paper No. 8, filed June 27, 2002) for the appellant's arguments thereagainst.

OPINION

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

We turn first the rejection of claims 1 and 4 under 35 U.S.C. § 103 as being unpatentable over Wen in view of Sevier.

The present invention relates to a method of controlling print nozzles of a full-line printing head in an inkjet printer for printing digital photographic images. The method seeks to prevent any image printing from extending beyond the edge of the recording medium. In connection with this goal the specification teaches that when printing extends over the sides of the recording medium, ink gets onto the transport substrate and ink consequently becomes smeared onto the backside of the next paper proof so that the printout is unusable (specification at page 1). The specification further states that such ink can eventually result in paper transport malfunctions in the printer. The specification of appellant’s invention discloses an electronic control system that deactivates any print nozzle when a line (of digital image) is sensed by a CCD line sensor that is wider than the cut sheet of the recording medium (specification page 5) .

This sensing of lines and deactivation of the print nozzles is done on a line by line basis.

In regard to the sensing of an image line which is wider than the line on the medium on which ink is to be deposited and deactivating the print nozzles which if activated would result in the deposition of ink outside the edges of the medium, claim 1 recites:

> creating a control signal, <u>for each CCD line.</u> . . to deactivate the printing nozzles that discharge ink droplets beyond the edges of the recording medium. (emphasis added)

The examiner finds that Wen discloses the invention a recited in claim 1 except that Wen does not disclose CCD line sensors. The examiner relies on Sevier for teaching the use of a CCD line sensor as a scanning line detector. In regard to the "creating a control signal" step, the examiner states:

> . . . Wen, in resizing the image, will deactivate nozzles not used for printing as media of different widths may be used. Wen resizes the image to be printed by a couple of scan lines beyond the edge of the media before printing, but Wen *does not print* (eject ink) beyond the border, implying deactivation of nozzles for that print line, 745 patent, column 5, lines 41 to 44.

We do not agree with the examiner.

Firstly, Wen does not disclose a system whereby the printing beyond the edges of the recording medium is prevented. In fact, Wen specifically states that it is preferable that the image that is printed onto the recording medium be a couple of print lines wider that the width of the printing medium (col. 4, lines 50 to 52). In addition, the

method disclosed in Wen resizes the digital image before it is printed (col 4, lines 45 to 47). This resized digital image is then printed onto the recording medium. Wen does not disclose that printing nozzles are deactivated on a line by line basis. While the examiner is correct that the Wen method prints the data onto the recording medium line by line, the nozzles themselves are not controlled on a line by line basis.

We have reviewed the disclosure of Sevier and determined that the Sevier disclosure does not cure the deficiencies noted above of the Wen reference.

In view of the foregoing, we will not sustain the examiner's rejection of claim 1 or claim 4 dependent therefrom.

In regard to the remaining rejections of claims 2 and 3 which are dependent on claim 1, the examiner has improperly found that Wen discloses the deactivation of print nozzles on a line by line basis as in the rejection discussed above of claim 1. We have reviewed the disclosures of Paroff and Campbell and determined that these disclosures do not cure the deficiency noted above of the Wen reference. As such, we will not sustain the remaining rejections.

The decision of the examiner is reversed.

REVERSED

MURRIEL, E. CRAWFORD Administrative Patent Judge	)
JENNIFER, D. BAHR Administrative Patent Judge	) BOARD OF PATENT) APPEALS) AND) INTERFERENCES
STUART S. LEVY Administrative Patent Judge	)

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