

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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**Ex parte** KAZUYUKI OZAI

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Appeal No. 2005-0005  
Application No. 10/156,568

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HEARD: April 7, 2005

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Before BARRETT, DIXON, and LEVY, **Administrative Patent Judges**.  
DIXON, **Administrative Patent Judge**.

**DECISION ON APPEAL**

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

We REVERSE.

## BACKGROUND

Appellant's invention relates to a multiconductor connector adapted to be connected to a plurality of paired cables for high-speed transmission of a signal. An understanding of the invention can be derived from a reading of exemplary claim 1, which is reproduced below.

1. A multiconductor connector adapted to be connected to a plurality of paired cables for high-speed transmission of a signal, wherein each of the paired cables comprise a first terminal and a second terminal, and a distance between the first terminal and the second terminal is equal to a predetermined distance, wherein the connector comprises:

an insulator plate having a predetermined thickness, wherein the insulator plate comprises:

an upper surface comprising a first plurality of signal contacts formed thereon; and

a lower surface opposite the upper surface, wherein the lower surface comprises a second plurality of signal contacts formed thereon, and each of the second plurality of signal contacts is aligned with a corresponding one of the first plurality of signal contacts, wherein the predetermined thickness is selected, such that each of the first plurality of signal contacts are adapted to engage a corresponding one of the first terminals and each of the second plurality of signal contacts are adapted to engage a corresponding one of the second terminals, without altering the predetermined distance.

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

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Hansell, III et al. (Hansell)

5,176,538

Jan. 5, 1993

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hansell.

Rather than reiterate the conflicting viewpoints advanced by the examiner and appellant regarding the above-noted rejection, we make reference to the examiner's answer (mailed Feb. 26, 2004 ) for the examiner's reasoning in support of the rejection, and to appellant's brief (filed Dec. 18, 2003) and reply brief (filed Apr. 26, 2004) for appellant's arguments thereagainst.

#### **OPINION**

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

An anticipating reference must describe the patented subject matter with sufficient clarity and detail to establish that the subject matter existed in the prior art and that such existence would be recognized by persons of ordinary skill in the field of the invention. **See In re Spada**, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir.

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1990); **Diversitech Corp. v. Century Steps, Inc.**, 850 F.2d 675, 678, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988).

In determining novelty, the first inquiry must be into exactly what the claims define. **In re Wilder**, 429 F.2d 447, 450, 166 USPQ 545, 548 (CCPA 1970). Further, as pointed out by our reviewing court, we must first determine the scope of the claim. "[T]he name of the game is the claim." **In re Hiniker Co.**, 150 F.3d 1362, 1369, 47 USPQ2d 1523, 1529 (Fed. Cir. 1998). Therefore, we look to the language of independent claim 1. Independent claim 1 recites a "multiconductor connector adapted to be connected to a plurality of paired cables for high-speed transmission of a signal, wherein each of the paired cables comprise a first terminal and a second terminal, and a distance between the first terminal and the second terminal is equal to a predetermined distance." Therefore, while the actual paired cable need not be present in the claimed conductor, the characteristics thereof and the two conductors with a predetermined distance therebetween do establish that the characteristics of the insulator plate must meet with respect to the terminals of the paired cables.

From our review of the teachings of Hansell, we do not find a teaching of an insulator plate with the aligned first and second contacts which are taught to not alter

the predetermined distance between the first and second terminals of the paired cables. Hansell at column 3, lines 52 and 53 states that the conductor 15 is either soldered or welded to the signal contact 12. Hansell discloses in figures 1, 4, 7, 9, and 11 that the conductors are coaxial cables and that other coaxial cables are suitable. Therefore, there is no specific teaching of paired cables.

Figure 3 of Hansell and column 4, lines 5-8, disclose that the signal and ground pins engage with a spring finger 8 which we find would tend to deflect the conductor and would not teach the limitation of a lower surface of an insulator with contacts for engagement “without altering the predetermined distance.” Additionally, the other figures are silent with respect to the contacts, but Figure 17 does disclose the use of the integral spring finger 8 as discussed above. (Hansell at column 5, lines 27-30) Therefore, we do not find a disclosure of “an insulator plate having a predetermined thickness” with “a first plurality of signal contacts formed thereon” and “a lower surface opposite the upper surface, wherein the lower surface comprises a second plurality of signal contacts formed thereon, and each of the second plurality of signal contacts is aligned” and we find that the examiner has not clearly identified such teachings within Hansell.

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The examiner maintains that the housing 2 of Hansell corresponds to the insulator plate of the claimed invention and that the signal contacts correspond to the signal contacts 12. (See answer at page 3.) We cannot agree with the examiner because the claimed invention recites that the signal contacts are formed on the insulator plate and that the engagement with the terminals does not alter the predetermined distance between the terminals. Hansell states in column 3, lines 46-47, that Fig. 1 also shows "a plurality of signal contacts 12 positioned within the housing cavities 5" [emphasis added] where the cavities 5 are within the housing 2. Therefore, we cannot agree with the examiner that the contacts are formed on the insulator plate. Therefore, we find that the examiner has not established a ***prima facie*** case of anticipation, and we cannot sustain the rejection of independent claim 1 and its dependent claims 2 and 3 nor independent claim 4.

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**CONCLUSION**

To summarize, the decision of the examiner to reject claims 1-4 under 35 U.S.C.  
§ 102 is reversed .

**REVERSED**

LEE E. BARRETT	)	
Administrative Patent Judge	)	
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	)	
	)	BOARD OF PATENT
JOSEPH L. DIXON	)	APPEALS
Administrative Patent Judge	)	AND
	)	INTERFERENCES
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	)	
STUART S. LEVY	)	
Administrative Patent Judge	)	

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