

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 18

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte ROBERT J. RIESENMAN
and MICHAEL N. DERR

Appeal No. 2005-0627
Application No. 09/749,432

ON BRIEF

Before THOMAS, HAIRSTON, and BARRETT, Administrative Patent Judges.
HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1 through 30. In an Amendment After Final (paper number 11), claims 1 and 9¹ were amended.

The disclosed invention relates to a method and system for fetching data for a first device, storing the fetched data for the first device in a data buffer shared by a plurality of

¹ Inasmuch as the indefiniteness rejection of claims 1 and 9 was not repeated in the answer, it is assumed that the amendment had the effect of overcoming the rejection.

devices, and flushing any data fetched for the first device from the data buffer prior to storing data for another device in the data buffer.

Claims 1 and 22 are illustrative of the claimed invention, and they read as follows:

1. A data pre-fetch control mechanism, comprising:

an interface control logic arranged to interface with a bus;

a data buffer shared by a plurality of requesting bus devices and arranged to store data fetched from a main memory for the plurality of requesting bus devices, via said bus; and

a pre-fetch control logic operatively connected to said interface control logic and said data buffer, and arranged to control data fetch operations and retain data after bus cycle termination in a manner that ensures said data buffer comprises data for only a single requesting bus device of the plurality of bus devices.

22. A method comprising

fetching data for a first device of a plurality of devices,

storing data fetched for the first device in a data buffer shared by the plurality of devices, and

flushing any data fetched for the first device from the data buffer prior to storing data for another device of the plurality of devices in the data buffer.

The reference relied on by the examiner is:

Batchelor et al. (Batchelor)

6,502,157

Dec. 31, 2002
(filed Mar. 24, 1999)

Claims 1 through 30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Batchelor.

Reference is made to the briefs (paper numbers 13 and 15) and the answer (paper number 14) for the respective positions of the appellants and the examiner.

OPINION

We have carefully considered the entire record before us, and we will sustain the anticipation rejection of claims 1 through 30.

Appellants argue (brief, pages 10 through 12 and 15 through 17; reply brief, page 5) that Batchelor fails to teach flushing data fetched for a first device from the buffer prior to storing data for another device in the same buffer.

We disagree. Batchelor teaches (column 3, lines 56 through 64) that:

In current PCI [Peripheral Component Interconnect] art, if a read is disconnected and another agent issues an intervening read request, then any prefetched data maintained in the PCI buffer for the disconnected agent is discarded. Thus, when the read disconnected agent retries the read request, the PCI bridge will have to again prefetch the data because any prefetched data that was not previously returned to the agent prior to the disconnect would have been discarded as a result of the intervening read request from another agent. (Emphasis added).

In view of the teaching in Batchelor of flushing/discarding the data for a first agent/device from a shared buffer before inputting the data for a second agent/device, we will sustain the anticipation rejection of claims 1 through 30.

DECISION

The decision of the examiner rejecting claims 1 through 30 under 35 U.S.C. § 102(b) is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a)(1)(iv).

AFFIRMED

JAMES D. THOMAS)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
KENNETH W. HAIRSTON))	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
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LEE E. BARRETT)	
Administrative Patent Judge)	

KWH

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