UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAVID BRYANT

Appeal No. 2006-1437
Application No. 10/782,161

ON BRIEF

Before BLANKENSHIP, SAADAT, and MACDONALD, Administrative Patent Judges.

BLANKENSHIP, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the examiner's final rejection of claims 1-4 and 8-20, which are all the claims remaining in the application.

We affirm.

BACKGROUND

The invention relates to a system and method for removing a processor from a socket in which the processor has been compressed. Representative claim 8 is reproduced below.

> 8. A method for extracting a processor from a socket, the method comprising:
>
> moving a load plate from a closed position that compresses the processor into the socket to an open position;
>
> activating an extraction device by movement of the load plate from the closed position to the open position; and
>
> extracting the processor from the socket with the activated extraction device.

The examiner relies on the following references:

Ikeya	5,688,128	Nov. 18, 1997
McHugh et al. (McHugh)	US 6,726,500 B1	Apr. 27, 2004 (filed Apr. 17, 2003)

Claims 1, 4, 8, and 10 stand rejected under 35 U.S.C. § 102 as being anticipated by Ikeya.

Claims 1-4 and 8-20 stand rejected under 35 U.S.C. § 103 as being unpatentable over McHugh and Ikeya.

We refer to the Final Rejection (mailed May 19, 2005) and the Examiner's Answer (mailed Sep. 29, 2005) for a statement of the examiner's position and to the

Brief (filed Sep. 19, 2005) and the Reply Brief (filed Oct. 31, 2005) for appellant's position with respect to the claims which stand rejected.

OPINION

Based on appellant's arguments in the briefs, we will decide the appeal on the basis of claim 8. See 37 CFR § 41.37(c)(1)(vii).

Instant claim 8 requires moving a load plate from a closed position that compresses the processor into the socket to an open position. An extraction device is activated by movement of the load plate from the closed position to the open position. Further, the processor is extracted from the socket with the activated extraction device.

Appellant submits that carrier 62 (e.g., Fig. 7) of Ikeya cannot meet the terms of the claimed "load plate." According to appellant, it is the cover, rather than the carrier, that compresses the processor. (Brief at 3.)

The statement of the rejection, however, submits that Ikeya discloses a motherboard 70, a socket frame 10, a socket 42, a processor 60, and a processor extraction device in the form of an adhesive and a plurality of springs 44. With this combination of elements, the rejection refers to "load plate 12." (Final Rejection at 2-3; Answer at 3-4.)

Ikeya describes, in view of the written description at columns 3 through 7, apparatus including a cover 12 (Fig. 1) that may be closed and latched (latch 24; Fig. 2) over external base 10. Figure 1 shows insulating film 32 that, as shown in Figure 3, is

placed in inner base 42. IC chip 60 (Fig. 7) is adhered to carrier 62 and placed atop insulating film 32 (Fig. 2). Figure 3 also depicts compressive coil springs 44, which are shown under compression in Figure 2; i.e., with cover 12 closed.

The plurality of springs 44 are provided for supporting the intermediate support plate 40 (Fig. 3) in a horizontal position. The intermediate support plate is placed and supported on the compressive coil springs 44 with respective positioning pins 30. Col. 5, ll. 4-27. As shown in Figure 2, as cover 12 is closed and latched, carrier 62 and IC chip 60 are pressed downward toward the bottom of base cavity 10b. The compressive force from holding pad 56 is additive to the upward force of compressive coil springs 44. The springs when compressed force greater contact between insulating film 32 and IC chip 60. In order to remove IC chip 60 from the socket, the latch 24 is moved to the release position and the cover 12 is opened. Carrier 62 can then be picked up by a tool such as a pair of tweezers. IC chip 60 may then be removed from carrier 62. Col. 6, l. 40 - col. 7, l. 7.

Ikeya thus discloses moving a load plate (cover 12) from a closed position that compresses the processor into the socket to an open position, and activating an extraction device (e.g., compressive springs 44) by movement of the load plate from the closed position to the open position. The processor is extracted from the socket with the activated extraction device within the meaning of the claims, because the springs when released from compression move the intermediate support plate 40 and the processor upward such that carrier 62 and the processor may be picked up by a tool.

Ikeya thus supports the examiner's finding of anticipation with respect to instant claim 8. Moreover, we find no response from appellant in the briefs as to why moving the cover 12 of Ikeya from a closed to an open position fails to meet the terms of moving a load plate as claimed.

As appellant has not persuaded us of error in the rejection of any claim on appeal, we sustain the rejections under 35 U.S.C. §§ 102 and 103.

CONCLUSION

The rejection of claims 1, 4, 8, and 10 under 35 U.S.C. § 102 and the rejection of claims 1-4 and 8-20 under 35 U.S.C. § 103 are affirmed.

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

AFFIRMED

HOWARD B. BLANKENSHIP Administrative Patent Judge	)
MAHSHID D. SAADAT Administrative Patent Judge	) BOARD OF PATENT) APPEALS) AND) INTERFERENCES
ALLEN R. MACDONALD Administrative Patent Judge	)

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