

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

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER WATSON, BRUNO GIROUARD and
BERTHOLD FECTEALU

Appeal 2006-2196
Application 10/294,892
Technology Center

Decided: July 18, 2007

Before TERRY J. OWENS, STUART S. LEVY, and ANTON W.
FETTING, *Administrative Patent Judges*.

OWENS, *Administrative Patent Judge*.

DECISION ON REQUEST FOR REHEARING

In our Decision mailed November 14, 2006 we affirmed the rejections
of claim 20 under 35 U.S.C. § 102(b) over Yasui ‘503, claims 20 and 21
under 35 U.S.C. § 102(b) over Karpik, claims 1-19 and 21-61 under

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35 U.S.C. § 103 over Yasui '503, and claims 1-19 and 22-61 under 35 U.S.C. § 103 over Karpik. The Appellants request reconsideration of the Decision with respect to the rejection of claims 8-19 and 38-61 under 35 U.S.C. § 103 over Karpik.

The Appellants argue with respect to independent claim 8 and claims 9-19 and 38-46 that depend directly or indirectly therefrom that claim 8 requires that “the ankles of the standard rider are disposed behind its knees”, whereas the ankles of the rider in Karpik’s figure 3 relied upon by the Board (Decision 6-7) are in front of the rider’s knees (Request 2-3). The Appellants argue with respect to claim 47 and claims 48-61 that depend directly or indirectly therefrom that claim 47 requires that “the hips of the standard rider are disposed behind its ankles by a horizontal distance of between 5 and 40 cm”, whereas the hips of the rider in Karpik’s figure 3 relied upon by the Board (Decision 6-7) are behind the rider’s ankles by a distance greater than 5 to 40 cm (Request 4-5).

The Appellants do not point out, and we do not find, where those arguments are set forth against claims 8-19 and 38-61 in the discussion of the rejection over Karpik in the Appellants’ Brief (31-33) or Reply Brief (10-11), both of which argued claims 1-19 and 22-61 together. As stated in 37 C.F.R. § 41.37(c)(1)(vii)(2004), “[a]ny arguments or authorities not included in the brief or a reply brief filed pursuant to §41.41 will be refused consideration by the Board, unless good cause is shown.” The Appellants have not shown such good cause. Consequently, we do not consider the Appellants’ arguments.

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Accordingly, the Appellants' Request for Rehearing is denied.

DENIED

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