UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte STEPHEN S. PAWLOWSKI and VITTAL KINI

Appeal No. 2006-2443
Application No. 10/012,968

ON BRIEF

Before KRASS, RUGGIERO, and BARRY, *Administrative Patent Judges*.

KRASS, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 30-32 and 34.

The invention pertains to a reconfigurable panel controller

in a display device, best illustrated by reference to independent claim 30, reproduced as follows:

30. A method comprising:

sending auto-zero signals from a panel controller to a display panel; and

responsive to the auto-zero signals, bleeding off accumulated charge in pixels of the display panel.

The examiner relies on the following references:

Kuribayashi et al. (Kuribayashi)	5,615,027	Mar. 25, 1997
Stoye	5,969,696	Oct. 19, 1999

Claim 30 stands rejected under 35 U.S.C. § 102(b) as anticipated by Kuribayashi.

Claims 31, 32, and 34 stands rejected under 35 U.S.C. § 103 as unpatentable over Kuribayashi in view of Stoye.

Reference is made to the briefs and answer for the respective positions of appellants and the examiner.

OPINION

Anticipation is established only when a single prior art reference discloses, expressly or under principles of inherency, each and every element of a claimed invention. RCA Corp. v. Applied Digital Data Sys., Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984), (citing Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983)).

The examiner contends, with regard to independent claim 30, that Kuribayashi's clear signals, described at column 9, lines 1-4, are equivalent to the claimed "auto-zero signals" from a panel controller to a display panel because they reset pixels of the display panel to a dark/white state, which, in the examiner's opinion, is equivalent to the claimed "bleeding off accumulated charge in pixels of the display panel."

Appellants argue that nothing in Kuribayashi suggests removing any accumulated charge and the reference has nothing "to do with auto-zero signals that bleed charge off of pixels in the display panel" (principal brief-page 9).

The examiner's response is that Kuribayashi's clear signals are equivalent to the claimed "auto-zero signals" and these clear signals are applied to the display panel to clear the display panel into a black/white state. The examiner's conclusion is that "[c]learly, these clear signals will clear out any voltage accumulated in the pixels so that the picture area is cleared into black/white" (answer-page 5). The examiner further notes that it is "known that a liquid crystal display has a drawback that pixels in the liquid crystal display act as capacitors accumulate charges after signals are remove from the display panel. Thus, it is clear that Kuribayashi teaches applying the auto-zero signals (the clear signals) to bleed off accumulated charge in the pixels" (sic, answer-page 5).

Appellants respond, in the reply brief, by contending that the clearing signal in Kuribayashi is applied before the scanning selection signal and the "purpose of the clearing signal is to place each pixel in a known state prior to applying the scanning selection signal" (reply brief-page 1), but appellants contend, the black state in Kuribayashi does not correspond to the situation where a charge has been bled off. As evidence of this position, appellants point to Figure 7A of Kuribayashi and note

that the white data signal and black data signal shown therein have the same charge, but simply charge in different stages. Accordingly, argue appellants, the examiner's assumption that black corresponds to some chargeless state is unsupported and meritless.

Moreover, note appellants, the specification of Kuribayashi never suggests that the clearing signal is for the purpose of bleeding off charge. Rather, the purpose of the clearing signal is to orient related pixels in advance "to one orientation state of the ferroelectric liquid crystal to form a dark state, thus, effecting a step of clearing into a 'black' state" (column 7, lines 47-49). As stated by appellants, "All the clearing signal does is put the pixels that are about to be receiving the scanning selection signal into a known state so that the effect of the scanning selection signal will be determinant" (reply brief-page 2). That is, "there is no basis to suggest that clearing to the black state would have any effect of bleeding off charge. It merely distributes charge of essentially the same amount in different phases" (reply brief-page 2).

We will not sustain the rejection of claim 30 under 35 U.S.C. § 102(b).

While the instant specification is not rife with explanation of the auto-zeroing of a pixel for bleeding off a charge, page 13 does describe one embodiment of encoding for accomplishing this function. On the other hand, we can find nothing in Kuribayashi that mentions or intimates such a function of bleeding off accumulated charge in pixels of the display panel. To say, as the examiner does, that charges are bled off merely because Kuribayashi discloses a clear signal and that it might be "known" that pixels act like capacitors in accumulating charges, is not sufficient evidence of a teaching by Kuribayashi of something responsive to auto-zeroing signals for bleeding off accumulated charge in pixels in the display panel.

We agree with appellants that Kuribayashi never describes the clear signal as causing a bleeding off of accumulated charges in pixels in the display panel and that it appears from Kuribayashi that the clear signal merely places the pixels about to receive a scanning selection signal into a known state (see column 7, lines 40-52, of the reference).

Thus, in our view, the examiner's conclusion that Kuribayashi's clearing signal causes a bleeding off of accumulated charges in pixels in the display panel is, at best, mere speculation and that is not a proper basis for reaching a conclusion of anticipation under 35 U.S.C. § 102(b).

We also will not sustain the rejection of claims 31, 32, and 34 under 35 U.S.C. § 103 since Stoye does not provide for the deficiency of Kuribayashi in lacking a teaching of bleeding off accumulated charges in pixels in the display panel.

The examiner's decision is reversed.

REVERSED

ERROL A. KRASS	)	
Administrative Patent Judge	)	
	)	
	)	
	)	BOARD OF PATENT
JOSEPH F. RUGGIERO	)	
Administrative Patent Judge	)	APPEALS AND
	)	
	)	INTERFERENCES
	)	
LANCE LEONARD BARRY	)	
Administrative Patent Judge	)	

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TROP PRUNER & HU, PC
1616 S. VOSS ROAD, SUITE 750
HOUSTON, TX 77057-2631