

The opinion in support of the decision being entered today
is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GARY H. KNAUF

Appeal 2007-2551
Application 10/359,160
Technology Center 3700

Decided: August 22, 2007

Before EDWARD C. KIMLIN, BRADLEY R. GARRIS, and
CHARLES F. WARREN, *Administrative Patent Judges*.

KIMLIN, *Administrative Patent Judge*.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 21-38. Claims 21 and 30 are illustrative:

21. A packaged ream of paper comprising:

a ream of paper;

a paper base material having an inner surface and an outer surface;

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a polyethylene layer applied to at least a portion of the inner surface of the base material and configured to secure the base material around the ream of paper; and

a melt shield layer applied along lanes bordering a seal area over at least a portion of the polyethylene layer on the inner surface of the paper base material to protect the ream of paper from being exposed to the polyethylene layer when the base material is wrapped about the ream of paper and exposed to a heat source.

30. A wrapper for a ream of paper comprising:

a paper substrate having an inner surface and an outer surface;

a polyethylene layer applied to at least a portion of the inner surface of the substrate;

a P.E.I. layer applied to at least a portion of the outer surface of the substrate to reduce at least one of a temperature and a pressure at which the polyethylene layer forms a seal; and

a melt shield layer applied in at least one lane bordering a seal area over at least a portion of the polyethylene layer on the inner surface of the paper substrate to protect a ream of paper wrapped by the substrate from at least one of the temperature and the pressure applied to secure the substrate about the ream of paper.

The Examiner relies upon the following references as evidence of obviousness:

Buzio	US 4,421,780	Dec. 20, 1983
Knauf	US 5,250,348	Oct. 5, 1993
Poole	US 5,421,512	Jun. 6, 1995
Parker	US 6,505,735 B1	Jan. 14, 2003
Dronzek	US 2003/0203166 A1	Oct. 30, 2003

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Appellant's claimed invention is directed to a packaged ream of paper wherein the ream of paper is packaged in a wrapper. The wrapper comprises a paper base material having a polyethylene layer applied to the inner surface and a melt shield layer that is applied along lanes bordering a seal area over a portion of the polyethylene layer. Also, a polyethylenimine (P.E.I.) is applied to the outer surface of the paper base material. When the wrapper is wrapped around the ream of paper a seal is effected by heat or pressure that is applied to the overlapped regions of the wrapper. The melt shield layer prevents the polyethylene near the seal from adhering to the ream of paper.

The appealed claims stand rejected under 35 U.S.C. § 103(a) as follows:

- (a) claims 21-38 over Knauf in view of Poole,
- (b) claims 21-38 over Knauf in view of Parker,
- (c) claims 28 and 31 over Knauf in view of Parker and Buzio, and
- (d) claims 28 and 31 over Knauf in view of Parker and Dronzek.

Appellant has not separately argued any particular claim in the separately rejected groups of claims. Accordingly, the groups of claims separately rejected by the Examiner stand or fall together.

We have thoroughly reviewed each of Appellant's arguments for patentability. However, we are in complete agreement with the Examiner that the claimed subject matter would have been obvious to one of ordinary skill in the art within the meaning of § 103 in view of the applied prior art.

Accordingly, we will sustain the Examiner's rejections for the reasons set forth in the Answer, which we incorporate herein, and we add the following for emphasis only.

Appellant does not dispute that the patent to Knauf, the present inventor, discloses the presently claimed packaged ream of paper including a wrapper comprising a paper base material, a polyethylene layer applied to the inner surface of the base material, and a layer of P.E.I. applied to the outer surface of the base material. It is Appellant's contention that Knauf does not disclose the claimed melt shield layer. However, as correctly pointed out by the Examiner, the chipboard of Knauf may be properly considered as the claimed melt shield layer that is applied along lanes bordering the seal area. Knauf explains that it was known in the art that the application of heat and pressure to the polyethylene layer may cause it to bond with the underlying paper surface and, therefore, the reference teaches the application of chipboard along the border of the polyethylene layer to serve as a heat insulator which prevents the adhesion of the wrapper paper to the paper of the ream (*see* Knauf, col. 5, ll. 16-23). Since Knauf specifically teaches that the chipboard acts as a heat insulator and a heat barrier to protect the ream of paper, we fail to find any distinction between the reference chipboard and the melt shield layer of the claimed invention (*see also* Knauf, col. 7, ll. 37 *et seq.*).

Moreover, we find no error in the Examiner's reasoning that it would have been obvious for one of ordinary skill in the art to apply either the

silicone or varnish of Poole and Parker, respectively, as a substitute for the chipboard of Knauf to prevent adhesion between the polyethylene layer of the wrapper and the paper of the ream. We are not persuaded by Appellant's arguments that Poole and Parker are from non-analogous arts. All the references are directed to solving the same problem, namely, preventing adhesion between adjacent sheets at certain areas. While Appellant maintains that "Knauf presents a suitable solution to the identified problem - the use of chipboards - and does not teach or suggest that any other solution should be sought" (sentence bridging principal Br. 6-7), we are persuaded that one of ordinary skill in the art would have found it obvious to use silicone or varnish as an alternative to the chipboard of Knauf, with each material presenting its own advantages and disadvantages. Also, we concur with the Examiner that one of ordinary skill in the art would have been properly motivated to substitute silicone or varnish for the chipboard of Knauf for the purpose of reducing the thickness of the packaged ream, as well as its extra weight.

Appellant does not present separate substantive arguments against the separate rejections of claims 28 and 31 but relies upon the asserted deficiency of the combinations of Knauf with Poole and Parker.

As a final point, we note that Appellant bases no argument upon objective evidence of nonobviousness, such as unexpected results, which would serve to rebut the inference of obviousness established by the Examiner.

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In conclusion, based on the foregoing and the reasons well stated by the Examiner, the Examiner's decision rejecting the appealed claims is affirmed.

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

AFFIRMED

clj

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