

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BARBARA A. HALL, AGNES Y. NGAI,
and ROBERT L. WOODARD

Appeal 2007-2998
Application 10/100,394
Technology Center 2600

Decided: December 31, 2007

Before KENNETH W. HAIRSTON, MAHSHID D. SAADAT, and JOHN A. JEFFERY, *Administrative Patent Judges*.

HAIRSTON, *Administrative Patent Judge*.

DECISION ON APPEAL

This is an appeal under 35 U.S.C. §§ 6(b) and 134 from the final rejection of claims 1 to 20.

Claim 1 is representative of the claimed invention, and it reads as follows:

1. A system for processing a High Definition Television (HDTV) image, comprising:
 - a plurality of video encoders connected in parallel;

wherein each of the encoders receives an entire image from a HDTV video source; and

wherein each of the encoders is programmable for processing only a portion of the entire image.

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Johnson	US 5,398,315	Mar. 14, 1995
Dieterich	US 6,100,940	Aug. 8, 2000
Gebler	US 6,356,589 B1	Mar. 12, 2002

The Examiner rejected claims 1, 2, 4, 6, 9 to 11, 16, and 17 under 35 U.S.C. § 102(b) based upon the teachings of Johnson.

The Examiner rejected claims 3, 7, 13, 15, and 20 under 35 U.S.C. § 103(a) based upon the teachings of Johnson.

The Examiner rejected claims 5, 12, 18, and 19 under 35 U.S.C. § 103(a) based upon the teachings of Johnson and Gebler.

The Examiner rejected claims 8 and 14 under 35 U.S.C. § 103(a) based upon the teachings of Johnson and Dieterich.

Turning first to the anticipation rejection, Appellants contend that “a specific processor of Johnson receives an entire ‘image’ and processes the received entire ‘image’” (Br. 4). The Examiner is of the opinion that Johnson describes a plurality of encoders connected in parallel wherein each of the encoders receives an entire image from a HDTV video source, and each of the encoders is programmable for processing only a portion of the entire image (Ans. 3 and 4).

We agree with the Appellants’ argument. Johnson clearly describes a video display system that includes a plurality of processors P1 to P3

connected in parallel, and wherein each of the processors receives an entire image from the digital video source (Figure 4; Abstract). The processors P1 to P3, unlike the encoders in the claims on appeal, are programmable for processing the entire image¹ (Abstract; col. 2, ll. 9 to 19, and 58; col. 3, ll. 31 to 50; col. 6, ll. 23 to 27; col. 8, ll. 40 to 45; col. 12, ll. 4 to 7). Thus, the anticipation rejection of claims 1, 2, 4, 6, 9 to 11, 16, and 17 is reversed because each and every limitation in the claims is not found either expressly or inherently in the cited reference to Johnson. *In re Crish*, 393 F.3d 1253, 1256 (Fed. Cir. 2004).

The obviousness rejections of claims 3, 5, 7, 8, 12 to 15, and 18 to 20 are reversed because the teachings of Gebler and Dieterich fail to cure the noted shortcoming in the teachings of Johnson.

The decision of the Examiner is reversed.

¹ Although the processors in the admitted prior art in Johnson are programmable for processing “only a portion” of the entire image, the admitted prior art is silent as to whether each of the processors receives “an entire image” from a video source (col. 1, ll. 56 to 66; col. 2, ll. 61 to 66).

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REVERSED

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HOFFMAN WARNICK & D'ALESSANDRO, LLC
75 STATE STREET
14TH FLOOR
ALBANY NY 12207