

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 YAN MARGULIS and ARVIND PATEL

Appeal 2007-3245
Application 11/153,772¹
Technology Center 2800

Decided: September 4, 2007

Before JAMESON LEE, ADRIENE LEPIANE HANLON, and SALLY C. MEDLEY, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

DECISION ON APPEAL

1 **A. Statement of the Case**

2 Applicants appeal under 35 U.S.C. § 134 from a final rejection of
3 claims 1-3. We have jurisdiction under 35 U.S.C. § 6(b).

4

1 Application for patent filed 15 June 2005. The real party in interest is Molex Incorporated.

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

3 Kain US 6,422,885 Jul. 23, 2002
4

5 Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being
6 anticipated by Kain (Final Rejection 2 and Answer 3²).

7 BACKGROUND

8 The invention is related to a connector with a dielectric housing 14
9 (Fig. 1) with a mating cavity 16 for receiving a mating connector. Inside the
10 mating cavity is a pair of support arms 24 and blade terminals 30a. A
11 dielectric separation wall 26 spans the support arms and separates blade
12 terminals.

13 **B. Issue**

14 The issue is whether Applicants have shown that the Examiner erred
15 in determining claims 1-3 to be unpatentable over Kain as applied by the
16 Examiner.

17 **C. Findings of fact (“FF”)**

18 The record supports the following findings of fact as well as any other
19 findings of fact set forth in this opinion by at least a preponderance of the
20 evidence.

- 21 1. Applicants' claims 1-3 are the subject of this appeal.
22 2. Independent claim 1, the sole independent claim, is as follows:

² The final rejection of claims 4-7 has been withdrawn. The Examiner has indicated that claims 4-7 are allowed (Answer 2).

1 1. An electrical power blade connector, comprising:
2 a dielectric housing having a mating cavity for receiving a
3 mating connector inserted into the cavity through an open front end
4 thereof in a mating direction, a pair of blade support arms projecting
5 forwardly within the cavity, the support arms being spaced laterally of
6 the mating direction, and a dielectric separation wall spanning the pair
7 of blade support arms; and
8 a pair of blade terminals supported between the pair of blade
9 support arms on opposite sides of the separation wall.

10 Kain

11 3. The Examiner found that Kain describes (Fig. 1) a connector with
12 an electrical power blade connector 1, a dielectric housing 6 with mating
13 cavity 8 for receiving mating connector 5 [sic – 2], placing particular
14 emphasis on the area shown as “6” in Fig. 1 (Answer 3).

15 4. The Examiner further found that Kain shows a dielectric separation
16 wall spanning the pair of blade support arms (Fig. 1 at 6), and a pair of blade
17 terminals (as also seen in Fig. 2 as 7) (Answer 3).

18 5. The Examiner further found that Kain describes a hybrid connector
19 containing power as well as signal contacts, both identified as 7 and
20 connected to contacts 9a and 9b of the mating connector (Answer 4-5).

21 6. Kain describes a hybrid connector with both electrical power
22 contacts and signal contacts as follows:

23 With reference to FIG. 1, the connector assembly 1 is a
24 hybrid connector that has the electrical contacts 7 comprising

1 electrical power contacts 7 for conducting power to
2 corresponding power contacts 9a in the mating connector
3 assembly 3, and electrical signal contacts 7 for transmitting
4 electrical signals to corresponding signal contacts 9b in the
5 mating electrical connector assembly 3. (Kain 5:23-29).

6

7 Applicants' Arguments

8 7. Applicants argue that they "believe that" the portion of Fig. 1
9 shown as 6 is a data connector and not a power blade connector (Br. 6).

10 8. Applicants also argue that the connector looks like a Molex data
11 connector part number 51089, attached as "Exhibit B" (Br. 6).

12 9. Applicants also argue that Figure 2 does not describe terminals
13 (blade terminals) which pass into the connector portion 6 as found by the
14 Examiner, since connector portion 6 is a data connector with straight wires,
15 not a power blade connector with curved wires (Br. 7-8).

16 **D. Principles of Law**

17 35 U.S.C. § 102

18 "A person shall be entitled to a patent unless....the invention was
19 patented or described in a printed publication in this or a foreign country or
20 in public use or on sale in this country, more than one year prior to the date
21 of the application for patent in the United States." 35 U.S.C § 102(b).

22 To anticipate a claim, a prior art reference must disclose every
23 limitation of the claimed invention, either expressly or inherently.

24 *Verdegaal Bros. Inc., v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051,
25 1053 (Fed. Cir. 1987).

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1 **E. Analysis**

2 The Examiner finally rejected claims 1-3 as being anticipated under
3 35 U.S.C. § 102(b) by Kain. Claims 1-3 stand and fall together (Br. 5).

4 The Examiner found that Kain describes (Fig. 1) a power blade
5 connector 1, a dielectric housing 6 with mating cavity 8 for receiving mating
6 connector 2, a dielectric separation wall spanning the pair of blade support
7 arms (Fig. 1 at 6), and a pair of blade terminals (as seen in Fig. 2 as 7) (FFs
8 3-4). The Examiner further found that Kain describes a hybrid connector,
9 one for both power connections and data connections, and that Kain uses the
10 same type of contacts 7 for data and power and are blade terminals (FF 5).

11 Applicants argue that they believe that 6 of Fig. 1 is not a power blade
12 connector, but a data connector (FF 7). Applicants agree that Figure 2
13 describes power blade terminals 7, but disagree that the power blade
14 terminals shown in Fig. 2 as 7 pass into the connector portion 6 as found by
15 the Examiner. Applicants contend that the connector portion 6 is a data
16 connector and would have straight wires passing through the connector 6
17 and would not have curved wires as seen in Fig. 2 (FF 9). In essence,
18 Applicants argue that portion 6 of Fig. 1 is a data connector and not a power
19 blade connector.

20 Applicants provide no supporting evidence as to what one of ordinary
21 skill in the art would understand 6 of Fig. 1 to describe. We will not credit
22 Applicants' unsupported arguments. *Rohm & Haas Co. v. Brotech Corp.*,
23 127 F.3d 1089, 1092, 44 USPQ2d 1459, 1462 (Fed. Cir. 1997) (Nothing in

1 the rules or in jurisprudence requires trier of fact to credit unsupported or
2 conclusory assertions).

3 In any event and in contrast to Applicants' arguments, Kain describes
4 all contacts 7 shown in Fig. 2 as being flexible and curved, whether power
5 blades or data terminals (Kain 4:47-59 and 5:23-29). Kain describes 9a as
6 the power contacts and 9b as the signal contacts (FF 6). The arrangement of
7 9a and 9b tends to support the Examiner's findings that 6 is a power blade
8 connector, not a data connector. Note, that in Fig. 1 and on the back of the
9 mating connector 2 are power contacts 9a. Those contacts are in line with 6
10 of Fig. 1. This is in contrast to the terminal or signal contacts 9b, which are
11 aligned with other portions of the connector 1. For these additional reasons,
12 Applicants arguments are not persuasive.

13 Lastly, Applicants argue that the connector 6 of Fig. 1 looks like a
14 Molex data connector part number 51089, attached as "Exhibit B" (FF 8).
15 The evidence is not persuasive of what Kain describes. That there may be
16 some similarities between the Molex data connector and the connector
17 shown in Fig. 1 of Kain does not mean that the Kain connector 6 is a data
18 connector. Applicants' have provided no supporting evidence to
19 demonstrate that the Kain connector is a data connector, or that the Kain
20 connector is the same as the Molex data connector.

21 For these reasons, we sustain the rejection of the claims 1-3.

22 **E. Decision**

23 Upon consideration of the record, and for the reasons given, the
24 Examiner's rejections are affirmed.

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- 1 The Examiner's rejection of claims 1-3 under 35 U.S.C. § 102(b) as
- 2 being anticipated by Kain is affirmed.

AFFIRMED

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lp