UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TARO ENDO, NOBUO MIYAIRI, TAKANORI ISHIZAWA,
RYOTARO HANAYAMA, and SEIJI NAKASHIMA

Appeal 2008-0868
Application 09/911,673
Technology Center 2600

Decided: June 27, 2008

Before ROBERT E. NAPPI, KARL D. EASTHOM, and KEVIN F. TURNER, *Administrative Patent Judges.*

NAPPI, *Administrative Patent Judge.*

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 6 of the rejection of claims 6, 7, 9, 11, 13 through 21, and 26 through 28.

We reverse the Examiner's rejections of these claims.

INVENTION

The invention is directed to a display system with a host and a display device. The display device transmits to the host on-screen display information. This information is received by the host device and

superimposed on the video signal which is transmitted to the video display. See pages 13 and 14 of Appellants' Specification. Claim 6 is representative of the invention and is reproduced below:

> 6. A display system comprising:
>
> a host apparatus having an image output interface;
>
> a display apparatus which is operated by supply of at least one of a video signal and power from said host apparatus; and
>
> a communication interface for communicating data between said host apparatus and said display apparatus;
>
> wherein said display apparatus comprises:
>
> a storing section for storing power consumption data;
>
> a storing section for storing on-screen display information; and
>
> a display-side communication-section for transmitting said stored power consumption data and said on-screen display information;
>
> wherein said host apparatus comprises:
>
> a host-side communication section for receiving said power consumption data transmitted from said display apparatus and said on-screen display information;
>
> a power control section for entirely performing power control of said display system based on said power consumption data received from said host-side communication section; and

> an information superimposing section for superimposing said received on-screen display information on the video signal; and
>
> wherein the host-side communication section transmits the video signal having the on-screen display information superimposed thereon, the display-side communication section receives the transmitted signal, and the display apparatus displays an image of the on-screen display information.

REFERENCES

Rallison	US 5,991,085	Nov. 23, 1999
Kosugi	US 6,050,717	Apr. 18, 2000
Fukuda	US 6,295,002 B1	Sep. 25, 2001 (filed Mar. 9, 2000)
Michelet	US 6,845,277 B1	Jan. 18, 2005 (filed Mar. 20, 2000)

REJECTIONS AT ISSUE

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Michelet in view of Fukuda. The Examiner's rejection is on pages 3 through 5 of the Answer.

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Michelet in view of Fukuda and Kosugi. The Examiner's rejection is on pages 5 and 6 of the Answer.

Claims 16, 18, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Michelet in view of Fukuda and Rallison. The Examiner's rejection is on pages 6 and 7 of the Answer.

Claims 7, 9, 11, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Michelet. The Examiner's rejection is on pages 7 through 9 of the Answer.

Claims 15, 27, and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Michelet in view of Kosugi. The Examiner's rejection is on pages 9 and 10 of the Answer.

Claims 13, 17, 19, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Michelet in view of Rallison. The Examiner's rejection is on pages 10 and 11 of the Answer.

Throughout the opinion, we make reference to the Brief (received February 23, 2007), Reply Brief (received July 24, 2007) and the Answer (mailed May 31, 2007) for the respective details thereof.

ANALYSIS

Appellants argue, on pages 9 through 21 of the Brief, that the rejection of independent claim 6 is in error. Appellants argue, on page 10 of the Brief, that Michelet does not teach or suggest "a host apparatus that includes an information superimposing section for superimposing the received on-screen display information on the video signal" and a communication section that transmits from the host, "the video signal having the on-screen display information superimposed thereon." Appellants assert that Michelet teaches that the on-screen display commands are sent via a service channel independent from the graphics signal. Br. 13. Appellants assert that Michelet does not "suggest superimposing on-screen display information on a video signal sent from the host." Br. 14. Further, Appellants argue that "element 54 of Michelet et al[.], which the Examiner contends corresponds

to the information superimposing section of claim 6, is provided at the display in Michelet et al[.], not at the host as recited in claim 6." Br. 17.

On page 13 of the Answer, the Examiner, referring to Michelet, states:

> A DDC/CI and OSD control decoder 54 receives the I^2C serial protocol link on a two-wire bus 63 which carries the DDC/CI commands issued by the processor and the OSD commands generated by an independent hardware monitoring circuit (not shown in FIG. 5). DDC/CI and OSD decoder 54 controls power circuits 55 and 56, and the latter particularly controls the Column drive circuit 57 and Row drive circuit 58 for causing the superimposition of the OSD text and/or graphics on the screen.

Appellants' arguments have persuaded us of error in the Examiner's rejection of claim 6. While we concur with the Examiner, that Michelet teaches superimposition of On Screen Display (OSD) data on the display screen, and that the superimposition is performed by decoder 54,col. 9, ll. 10-18, claim 6 calls for the superimposition to be performed at the host machine, and transmitted to the display. As is clear from figure 5, item 54 is in the display, item 60, and not the graphics card, item 50, which resides in the host machine. The Examiner has not found, nor do we find, that Fukuda teaches or suggests performing superimposition of information on the video signal at the host machine. Thus, as the combination of the references does not teach or suggest all of the limitations of claim 6, we will not sustain the Examiner's rejection of claim 6.

Claims 14, 16, 18 and 20 are all dependent upon claim 6. The Examiner has not found, nor do we find, that the additional teachings of Kosugi, or Rallison, which are relied upon in the rejections of these claims, teach or suggest performing superimposition of information on the video

signal at the host machine. Accordingly, we will not sustain the Examiner's rejections of claims 14, 16, 18 and 20, for the reasons discussed *supra* with respect to claim 6.

Appellants argue on pages 23 through 25 of the Brief that the Examiner's rejection of independent claims 7 and 26 is in error. Appellants reason that claim 7 is similar to claim 6 and recites that the host side communications section transmits a video signal having on-screen display information superimposed thereon and that Michelet does not teach or suggest this feature. Appellants present a similar argument with respect to claim 26 on pages 24 and 25 of the Brief.

Appellants' arguments have persuaded us of error in the Examiner's rejection of independent claims 7 and 26. On page 16 of the Answer, the Examiner identifies that the rationale for the rejection of claims 7 and 26 is the same as for claim 6. Claim 7 recites an information superimposing section on the host apparatus which superimposes the received on-screen information on the video signal. Claim 26 similarly recites that superimposing of on-screen display information is performed at the host apparatus. As discussed *supra* with respect to claim 6, we do not find that Michelet teaches a superimposition section at the host machine, but at the display. Accordingly, we will not sustain the Examiner's rejection of independent claims 7 and 26, or dependent claims 9 and 11

Claims 13, 15, 17, 19, 21, 27, and 28 are all dependent upon claim 7. The Examiner has not found, nor do we find, that the additional teachings of Kosugi, or Rallison, which are relied upon in the rejections of these claims teach or suggest performing superimposition of information on the video signal at the host machine. Accordingly, we will not sustain the Examiner's

rejections of claims 13, 15, 17, 19, 21, 27, and 28, for the reasons discussed *supra* with respect to claim 6.

ORDER

In summary, we will not sustain the Examiner's rejections of claims 6, 7, 9, 11, 13 through 21, and 26 through 28 under 35 U.S.C. § 103(a).

The decision of the Examiner is reversed.

REVERSED

tdl/gw

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