

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* ANTHONY EDWARD MARTINEZ  
and MICHAEL D. RAHN

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Appeal 2008-5523  
Application 10/116,566  
Technology Center 2600

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Decided: November 25, 2008

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Before JOSEPH F. RUGGIERO, ROBERT E. NAPPI,  
and ELENI MANTIS MERCADER, *Administrative Patent Judges*.

MANTIS MERCADER, *Administrative Patent Judge*.

DECISION ON APPEAL

## STATEMENT OF THE CASE

Appellants seek our review under 35 U.S.C. § 134 of the Examiner's rejection of claims 1-11 and 46-51.<sup>1</sup> We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

## INVENTION

Appellants' claimed invention is directed to connections between display monitor (Fig. 3, 202) and display module (Fig. 3, 204). Couplers (Fig. 3, 300) include male couplers (Fig. 3, 302) and female couplers (Fig. 3, 304) surrounding the perimeter of both display monitor 202 and display module 204 (Fig. 3). Couplers 300 serve three primary functions. First, the couplers mesh together, providing a secure physical connection between the main display and each display module (Spec. 8:4-8). Second, the couplers provide an electrical connection to power the display modules (Spec. 8:9-10). Third, the couplers provide a conduit for the main display to communicate row and column data to the modules (Spec. 8:10-11). Couplers 300 resemble those made on children's blocks, such as LEGO® (Spec. 8:11-12).

Claim 1, reproduced below, is representative of the subject matter on appeal:

1. An apparatus for displaying information comprising:
  - a screen surface;
  - a back surface having a size that is substantially equivalent to the size of the screen surface;
  - an edge surface joining the screen surface to the back surface; and

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<sup>1</sup> The Examiner allowed claims 52-54 (Non-Final Rejection dated Dec. 28, 2005).

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alternating male and female couplers secured to the edge surface, for mating with substantially similar male and female couplers, supporting the weight of an electrical component, and transmitting power and data to a mated electrical component.

### THE REJECTIONS

The Examiner relies upon the following as evidence of unpatentability:

Tucker	US 6,314,669 B1	Nov. 13, 2001
Moscovitch	US 6,702,604 B1	Mar. 09, 2004 (filed Aug. 23, 1999)

The following rejections are before us for review:

The Examiner rejected claims 1-11 and 46-51 under 35 U.S.C. § 103(a) as being unpatentable over Moscovitch in view of Tucker.

### OBVIOUSNESS ISSUE

The Examiner asserts that it would have been obvious to one skilled in the art to modify Moscovitch's all male or all female electrical and mechanical monitor connectors with the mechanical male/female connectors of Tucker because they are used in assembling modular displays (Ans. 7-8). The Examiner further states that it would have been obvious to further modify Moscovitch and place such a connection at the edge of the display because Moscovitch teaches that the

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connector can be placed at a variety of locations and in a variety of environments (Ans. 8).

Appellants contend that Tucker cannot cure Moscovitch's lack of male/female couplers secured at the edge surface of a display (Br. 8). Furthermore, Appellants contend that Tucker does not teach male/female couplers secured at the edge surface of a display that transmit power and data to a mated electrical component (i.e., modular display) (Br. 8-9).

Have the Appellants shown that the Examiner erred by determining that Moscovitch's connector can be placed at the edge of a display?

#### FINDINGS OF FACT

The relevant facts include the following:

1. Moscovitch teaches an electrical all male or all female connector 12 which can be mechanically attached at the rear bottom housing 14 of a liquid crystal display (col. 3, ll. 63-67; col. 4, ll. 10-21; col. 5, ll. 36-46 and Fig. 1).
2. Moscovitch teaches that connector 12 can be placed at other locations of the housing provided that sufficient area is available to attach the component 12 (col. 3, l. 67-col. 4, l. 3).
3. Appellants' independent claims recite that the edge is a "surface joining the screen surface to the back surface" (claims 1, 5, 46, and 48).
4. Moscovitch's Figures 1, 10 and 11-13 show that there is insufficient area available at the edge of a monitor to attach component 12.

5. Moscovitch teaches that one of the two LCD monitors can be placed at a variety of locations and in a variety of environments near where the other LCD monitor is placed as shown by example in Figures 14-17 (i.e., in Fig. 14, one LCD monitor is attached to the seat of a car and the other LCD is attached to the vehicle door) (col. 6, ll. 27-33).
6. Tucker shows mechanical male/female couplers (in Fig. 2, male/female couplers 69/71) connecting the front (in Fig. 2, module 56) and back of a display (in Fig. 2, module 58).
7. Tucker's connectors do not support the weight of a mated electrical component (i.e., another LCD display) nor do they transmit power and data to the mated electrical component.

#### PRINCIPLES OF LAW

The Examiner bears the initial burden of presenting a prima facie case of obviousness. *In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992). If that burden is met, then the burden shifts to the Appellants to overcome the prima facie case with argument and/or evidence. *Id. In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). The Supreme Court, citing *In re Kahn*, 441 F.3d at 988, stated that “[r]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. at 1741.

## ANALYSIS

*Have the Appellants shown that the Examiner erred by determining that Moscovitch's connector can be placed at the edge of a display?*

Moscovitch teaches an electrical all male or all female connector 12 which can be mechanically attached at the rear bottom housing 14 of a liquid crystal display (Finding of Fact 1). Moscovitch states that connector 12 can be placed at other locations of the housing provided that *sufficient area* is available to attach the component 12 (Finding of Fact 2) (emphasis added). Appellants' independent claims recite that the edge is a "surface joining the screen surface to the back surface" (Finding of Fact 3). Moscovitch's Figures 1, 10 and 11-13 show that there is insufficient area available at the edge of a monitor to attach component 12 (Finding of Fact 4). Furthermore, Examiner's proposed modification for the rationale of placing the connector at a variety of locations and in a variety of environments is incorrect (Ans. 8). Moscovitch at best teaches that one of the two LCD monitors can be placed at a variety of locations and in a variety of environments near where the other LCD monitor is placed as shown by example in Figures 14-17 (i.e., in Fig. 14, one LCD monitor is attached to the seat of a car and the other LCD is attached to the vehicle door) (Finding of Fact 5). Thus, it is clear that Moscovitch does not teach that the connector 12 can be placed at the edge of an LCD monitor because there is insufficient area available for attachment. Thus, the Examiner's articulated reasoning does not have a rational underpinning to support the legal conclusion of obviousness. *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. at 1741.

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For the above reasons, Appellants have shown error in the Examiner's rejection of claims 1-11 and 46-51 under 35 U.S.C. § 103(a). Furthermore, Tucker does not remedy the shortcomings of Moscovitch as pointed out by Appellants. Tucker at best shows mechanical male/female couplers (in Fig. 2, male/female couplers 69/71) connecting the front (in Fig. 2, module 56) and back of a display (in Fig. 2, module 58) (Finding of Fact 6). Tucker's connectors do not constitute functional equivalents, and thus, cannot readily replace Moscovitch's connectors because they do not support the weight of a mated electrical component (i.e., another LCD display) nor do they transmit power and data to the mated electrical component as claimed by Appellants (Finding of Fact 7).

#### CONCLUSION OF LAW

Appellants have shown that the Examiner erred by determining that Moscovitch's connector can be placed at the edge of a display.

#### ORDER

The decision of the Examiner to reject claims 1-11 and 46-51 under 35 U.S.C. § 103(a) is reversed.

#### REVERSED

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