

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ANTHONY L. COYLE
and MARGARET SIMMONS-MATTHEWS

Appeal 2008-5696
Application 10/104,254
Technology Center 2800

Decided: November 26, 2008

Before EDWARD C. KIMLIN, CHARLES F. WARREN, and
CATHERINE Q. TIMM, *Administrative Patent Judges*.

KIMLIN, *Administrative Patent Judge*.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1-24. Claim 1 is illustrative:

1. A molded body of a printhead chip package for use in a hand-held apparatus, comprising:

a bottom surface directly attached to the hand-held apparatus;

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a fluid reservoir formed in a central region of the molded body, the fluid reservoir being bounded on its sides by the molded body, a bottom of the fluid reservoir being at least partially open; and

a recessed cavity formed in the central region of the molded body above the fluid reservoir, the recessed cavity being bounded on its sides by the molded body, a top of the recessed cavity being at least partially open, a first part of a bottom of the recessed cavity being bounded by the molded body, a second part of the bottom of the recessed cavity being open to a top opening of the fluid reservoir, and the recessed cavity being adapted to receive a printhead chip therein.

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

Banks	US 4,771,236	Sep. 13, 1988
Yew	US 6,049,129	Apr. 11, 2000
Fabbri	US 6,068,367	May 30, 2000
Wong	US 6,328,423 B1	Dec. 11, 2001
Headrick	US 6,347,868 B1	Feb. 19, 2002

Appellants' claimed invention is directed to a molded body of a printhead chip package. The body comprises a bottom surface that is directly attached to a hand-held apparatus, and the molded body contains a fluid reservoir formed in its central region. The appealed claims stand rejected under 35 U.S.C. § 103(a) as follows:

- (a) claims 1-5, 8-10 and 19-23 over Headrick in view of Fabbri and Wong,
- (b) claims 6 and 7 over Headrick in view of Fabbri, Wong, and Banks,
- (c) claims 11-17 over Headrick in view Fabbri, Wong, and Banks,
- (d) claim 18 over Headrick in view of Fabbri, Wong, Banks, and Yew, and

(e) claim 24 over Headrick in view of Fabbri, Wong, and Yew.

Appellants have not presented separate arguments for any particular claim on appeal. Accordingly, all the appealed claims stand or fall together with claim 1.

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

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

There is no dispute that Headrick, like Appellants, discloses a molded body of a printhead chip package that is used as a hand-held apparatus comprising a fluid reservoir formed in a central region of the molded body. The principal argument advanced by Appellants is that the main body 30 of Headrick's device "**is** the hand held device and consequently the bottom surface is not attached to the handheld device" (Principal Br. 5, third para.) (emphasis added). In other words, it is Appellants' argument that since main body 30 of Headrick **is** the hand held device, it can not be attached to the hand held device.

We agree with the Examiner, however, that main body 30 and painting apparatus 10 of Headrick can both be fairly considered to be a hand-held device, either separately or in combination. In our view, it is quite evident from Figure 3 of Headrick that painting apparatus 10 qualifies as a hand-held device which, indeed, is attached to the bottom surface of main body 30. While Appellants contend that "the switch 20 [of Headrick] is 'touched' by a finger, but it is not 'held' by the hand," (Principal Br. 5,

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penultimate para.), we agree with the Examiner that painting apparatus 10 of Headrick is fully capable of being held by the hand. Moreover, it can hardly be gainsaid that Figure 3 of the reference clearly depicts painting apparatus 10 being held by a hand.

We note that Appellants do not advance separate substantive arguments against the Examiner's separate § 103 rejections which cite additional prior art.

As a final point, we note that Appellants base no argument upon objective evidence of nonobviousness, such as unexpected results.

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)(effective Sept. 13, 2004).

AFFIRMED

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