

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today
(1) was not written for publication in a law journal and
(2) is not binding precedent of the Board.

Paper No. 22

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HAJIME SATO

Appeal No. 1998-0564
Application 08/359,840

Heard: March 6, 2000

Before THOMAS, RUGGIERO and BARRY, Administrative Patent
Judges.

THOMAS, Administrative Patent Judge.

DECISION ON APPEAL

Appellant has appealed to the Board from the examiner's

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Application 08/359,840

final rejection of claims 15 through 41, which constitute all the claims remaining in the application.

Representative claim 15 is reproduced below:

15. A liquid crystal display device comprising:

a first electrode substrate having a plurality of signal lines and a plurality of scanning lines disposed in a matrix manner and a plurality of pixel electrodes, each of the pixel electrodes being connected to at least one of the signal lines and at least one of the scanning lines via a switching element, said switching element having an active layer composed of a polycrystalline silicon film, said first electrode substrate including:

an opaque conductive film provided between the pixel electrodes and at least one of a plurality of said signal lines and a plurality of said scanning lines, for reducing coupling capacitance therebetween,

a first insulating film provided between the conductive film and said at least one of the plurality of signal lines and the plurality of scanning lines, and

a second insulating layer disposed between the conductive film and the pixel electrodes;

a second electrode substrate including an opposing electrode which is opposite to the pixel electrodes; and

a liquid crystal layer sealed between the first and second electrode substrates.

The following references are relied on by the examiner:

Miyasaka et al. (Miyasaka) 5,372,958 Dec. 12, 1994
1991) (filed Nov. 15,

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Yanagisawa (EPA)	0 136 509	Apr. 10, 1985
Matsueda ¹ (Japanese Patent)	1-156725	Jun. 20, 1989

Claims 15 through 41 stand rejected under 35 U.S.C. § 103. As evidence of obviousness, the examiner relies upon Matsueda in view of Yanagisawa as to claims 25 through 41, with the addition of Miyasaka as to claims 15 through 24.

Rather than repeat the positions of the appellant and the examiner, reference made to the briefs and the answer for the respective details thereof.

OPINION

We reverse both stated rejections generally for the reasons

set forth by appellant in the brief.

Each of independent claims 15, 25, 30, 38 and 40 recite in some manner an opaque conductive film provided between the pixel

¹ A translation of this reference is being provided by the Patent Office.

electrodes and at least one of a plurality of signal lines and
a
plurality of scanning lines. This "between" language in claim
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is recited in a manner that the conductive film is between two
adjacent pixel electrodes and one of the signal lines,
whereas claim 40 requires a similar recitation between two
adjacent pixel electrodes and one scanning line. Claim 30
recites this basic "between" language in a slightly different
form by reciting that the opaque conductive film is disposed
above the scanning and signal lines and disposed below the
pixel electrodes.

For his part, appellant argues at pages 8 and 9 of the
brief:

Yanagisawa illustrates the two covering positions
in which the alleged conductive film (28) can be
disposed in Figures 7 and 8, respectively. In
Figure 7, Yanagisawa teaches one of these covering
positions, i.e., the bottom position, in which the
light shielding film (28) is disposed below both
pixel electrode (12) and the signal and scanning
lines (20 and 24). In Fig.8 Yanagisawa teaches the
other of these covering positions, i.e., the top
position, in which the light shielding layer (28) is
positioned above both pixel electrode (12) and the
signal and scanning lines (20 and 24).

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We are unpersuaded by any reasoning set forth by the examiner in the Advisory Action mailed on August 13, 1997, and the answer as to the obviousness of the placement of the claimed opaque conductive film in the manner recited in each of the independent claims on appeal. Matsueda sets forth essentially what appellant admits to be the basic prior art structure for liquid crystal display elements, per se.

Appellant's

quoted portions from the brief as it relates to Yanagisawa is a accurate generalization of the showings in Figures 7 and 8 of this reference. Yanagisawa is explicit in indicating the location of the comparable conductive film 28 to that which is claimed to be either below both the pixel electrode 12 and signal and scanning lines 20 and 24 or both above the pixel electrode 12 and the scanning lines 20 and 24.

The Examiner does not present to us additional teaching references to indicate the desirability of placing the claimed conductive film in the manner recited in each independent claim on appeal between the pixel electrodes and the scanning and/or signal lines. The bottom line thrust of the examiner's

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arguments from the earlier noted Advisory Action and the answer is simply that the artisan may have found or might have found or could have found it obvious to have pre-arranged the location of the conductive film relative to the pixel electrodes and the scanning signal lines, but we are unpersuaded that it "would have been" obvious to the artisan to do so based upon the evidence provided in the form of the applied prior art as well as the examiner's reasoning.

In view of the foregoing, we therefore reverse the rejection of claims 15 through 24 under 35 U.S.C. § 103 because essentially the same pontinen features are recited in claims 25 through 41. As such, it is evident from even a cursory view of Miyasaka that this reference does not teach or show anything which would aide in the examiner's reasoning as to the obviousness of these claims.

Therefore, the decision of the examiner rejecting claims 15 through 41 under 35 U.S.C. § 103 is reversed.

REVERSED

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James D. Thomas)	
Administrative Patent Judge)	
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)	
)	BOARD OF PATENT
Joseph F. Ruggiero)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
Lance Leonard Barry)	
Administrative Patent Judge)	

JT/dm

Cushman, Darby & Cushman
1100 New York Avenue, NW
Ninth Floor, East Tower
Washington, DC 20005-3918