

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 23

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LOUIS W. AGATSTEIN and JAMES R. NEAL

Appeal No. 1999-1994
Application 08/795,817

ON BRIEF

Before BARRETT, FLEMING, and RUGGIERO, **Administrative Patent Judges**.

FLEMING, **Administrative Patent Judge**.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 33-55.

The invention relates to a computer system. The system

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Appellants' Specification on page 9, lines 13-14, page 10, lines 1-2 and associated figure 1. The voltage regulating device (180) comprises a detachable voltage regulator module (200) having a receptacle assembly (240) that includes a plurality of receptacles mounted on the module (200) and a socket connector (335) having an opening that receives the receptacle assembly (240) and a plurality of pins that allow the socket connector (335) to interface with the receptacle assembly. See Appellants' Specification on page 11, lines 4, 11-12, and 24-26, page 12, lines 1-2, 9-11 and 15-16, page 14, lines 16-20 and associated figures 3-4.

Representative claims 33 and 42 present in the application are reproduced as follows:

33. An apparatus for regulating voltage in an electronic device, comprising:

a detachable voltage regulator module having a receptacle assembly that includes a plurality of receptacles mounted on the detachable voltage regulator module; and

a socket connector, coupled to the electronic device, having an opening that receives the receptacle assembly and a plurality of pins that allow the socket connector to interface with the

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42. A computer system comprising:

a bus;

a microprocessor coupled to the bus;

a memory coupled to the bus; and

a voltage regulating device, coupled to the microprocessor, comprising a detachable voltage regulator module having a receptacle assembly that includes a plurality of receptacles mounted on the detachable voltage regulator module, and a socket connector having an opening that receives the receptacle assembly and a plurality of pins that allow the socket connector to interface with the receptacle assembly.

References

The reference relied on by the Examiner are as follows:

Werther	5,481,436	Jan. 2, 1996
Dalton	5,493,203	Feb. 20, 1996
Allman	5,336,986	Aug. 9, 1994
Cota	5,502,374	Mar. 26, 1996
Hwang et al. (Hwang)	4,233,644	Nov. 11, 1980

Rejections at Issue

Claims 33, 36, 37, 40, 42, 45, 48 and 50-55 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Werther. Claims 34 and 43 stand rejected under 35 U.S.C. § 103 as being unpatentable over Werther in view of Dalton. Claims 35, 38-39,

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and 49 stand rejected under 35 U.S.C. § 103 as being unpatentable over Werther in view of Hwang.

Rather than repeat the arguments of Appellants or the Examiner, we make reference to the Briefs¹ and the Answer for the respective details thereof.

OPINION

With full consideration being given the subject matter on appeal, the Examiner's rejections and the arguments of Appellants and Examiner, for the reasons stated *infra*, we reverse the Examiner's rejections of claims 33, 36, 37, 40, 42, 45, 48 and 50-55 under 35 U.S.C. § 102(e) and the Examiner's rejections of claims 34-35, 38-39, 41, 43-44, 46-47 and 49 under 35 U.S.C. § 103.

We first will address the rejection of claims 33, 36, 37, 40, 42, 45, 48 and 50-55 under 35 U.S.C. § 102 as being anticipated by Werther. The Examiner states that Werther discloses a voltage regulator module (element 1(d) in claim 1 and claim 3) having a receptacle assembly (element 1(c) in claim 1)

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which has an array of holes or receptacles mounted on the voltage regulator module and a socket connector (claim 2) coupled to another electronic device (another circuit board). See Examiner's Answer, Page 4, lines 7-13.

Appellants argue that Werther does not disclose a socket connector having an opening that receives the receptacle assembly or a socket connector having a plurality of pins that allow the socket connector to interface with the receptacle assembly. See Appeal Brief, Page 9, lines 21-26 and Page 9, line 28 through Page 10, line 2. Rather, Werther shows a socket connector 112 in Figure 11 including through-holes that require pins from a carrier 116 and not the socket connector to interface with the elected receptacle assembly 118. See Appeal Brief, Page 9, lines 26-28. Additionally, Appellants state that the pin carrier 116 shown in Figure 11 is not a socket connector with an opening that receives a receptacle assembly. See Appeal Brief, Page 10, lines 18-20.

As pointed out by our reviewing court, we must first

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(Fed. Cir. 1998). In addition, claims are to be interpreted as the terms reasonably allow. ***In re Zletz***, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

Independent claims 33, 42, 50 and 53 recite "a detachable voltage regulator module having a receptacle assembly . . . and a socket connector . . . having an opening that receives the receptacle assembly" or a "a detachable voltage regulator module having a receptacle assembly . . . and a socket connector . . . having an opening that receives the receptacle assembly." See Appeal Brief, Page 15, lines 3 and 6-7, Page 16, lines 13-16, Page 17, lines 18 and 20, Page 18, lines 1 and 13-15. Taking a reasonably broad interpretation, claims 33, 42, 50 and 55 require the socket connector to have an opening that receives the receptacle assembly of the voltage regulator module.

Using the above interpretation, we review the rejection of claims 33, 36, 37, 40, 42, 45, 48, and 50-55 under 35 U.S.C. § 102. It is axiomatic that anticipation of a claim under § 102 can be found only if the prior art reference discloses every

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v. American Hoist & Derrick Co., 730 F.2d 1452, 1458, 221 USPQ 481, 485 (Fed. Cir. 1984).

Upon review, we find that the Examiner has not shown that Werther includes a socket connector having an opening that receives the receptacle assembly of a voltage regulator module as recited in claims 33, 42, 50 and 53. The Examiner has elected the socket connector of Werther to be element 112 in Figure 11. See Examiner's Answer, Page 4, lines 10-13. The socket connector 112 described in column 4, lines 48-52 and claim 2 of Werther does not include an opening that receives the elected receptacle assembly (118; element (c) in claim 1 as disclosed on page 4, line 9 of the Examiner's Answer). Rather, column 12, lines 49-58 of Werther discloses that the socket connector 112 has through-hole mounting area for receiving pins from a carrier 116. Thus, Werther does not disclose that the socket connector includes an opening that receives the receptacle assembly.

Additionally with regards to claims 33 and 42, the claims also include the limitation, "a socket connector . . . having

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118 of the detachable voltage regulator module are part of the carrier 116. Thus, Werther does not disclose a socket connector having a plurality of pins that allow the connector to interface with the receptacle assembly as recited in claims 33 and 42.

As such, we cannot sustain the rejection of claims 33, 42, 50, and 53 Werther under 35 U.S.C. § 102(e). In addition since the rejection of independent claims 33, 42, 50 and 53 cannot be sustained, the rejection of dependent claims 36, 37, 40, 45, 48, 51-52 and 54-55 also cannot be upheld.

We next turn to the rejection of claims 34-35, 38-39, 41, 43-44, 46-47, and 49 under 35 U.S.C. § 103 as being unpatentable over Werther in combination with Dalton, Allman, Cota or Hwang. Each of these claims still includes the limitation of a socket connector having an opening that receives the receptacle assembly of the voltage regulator module or the socket connector having an opening and a plurality of pins. The Examiner has not relied on the Dalton, Allman, Cota or Hwang to teach the limitation of the socket connector having an opening that receives the receptacle

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46-47 and 49 made under 35 U.S.C. § 103.

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