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SEP 15 1995

PAT.&T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

This opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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* MITSURU SUGINOYA  
and HITOSHI KAMAMORI

Appeal No. 93-1749  
Application 07/389,010<sup>1</sup>

ON BRIEF

Before GARRIS, PAK, and WARREN, *Administrative Patent Judges*.  
PAK, *Administrative Patent Judge*.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 9 through 21, which are all the claims remaining in the present application. The claims were amended twice subsequent to the

<sup>1</sup> Application for patent filed August 3, 1989.

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final rejection dated August 29, 1991 (Paper Nos. 11 and 17).  
The most recent versions of independent claims 9, 12 and 17  
appear on the "Reply to New Ground of Rejection Made in  
Examiner's Answer" (Paper No. 17) which has not been clerically  
processed.

Independent claim 9 is representative of the subject matter  
on appeal and reads as follows:

9. A method of making a multicolor liquid crystal display  
device utilizing color filter segments, comprising the steps of:

forming a plurality of electroconductive films insulated  
from one another on a substrate;

carrying out selective electrodeposition on the electro-  
conductive films sequentially within solutions containing  
dispersed electrodepositable polymer and coloring materials to  
form color filter segments on the respective electroconductive  
films; and

superposing on the respective color filter segments  
sequentially a thermosetting protective layer and a transparent  
electroconductive layer so that the thermosetting protective  
layer is effective to absorb stress between the color filter  
segments and the transparent electroconductive layers to prevent  
cracking and peeling of the electroconductive layer; and

wherein the thermosetting protective layer is formed by  
coating the color filter segments with polymer material  
containing a silicon compound and/or an epoxy group containing  
acryl resin, and curing the coated polymer material by heating.

The references of record relied upon by the examiner are:

Suginoya et al. (Suginoya)	4,779,957	Oct. 25, 1988
Sekimura et al. (Sekimura) (Europe)	0 226 218	Jun. 24, 1987

The prior art (Figure 2) admitted by appellants which is  
described at pages 1 through 3 of the application.

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The examiner made the following rejections:

I. Claims 9 through 21 stand rejected under 35 U.S.C. § 103 as being unpatentable over the combined teachings of the admitted prior art and Suginoya.

II. Claims 9 through 21 stand rejected under 35 U.S.C. § 103 as being unpatentable over the combined teachings of the admitted prior art, Suginoya and Sekimura.

Having carefully studied the entire record, including the claims, specification, drawings, prior art and arguments advanced by both the examiner and appellants in the answer, supplemental answer, brief and reply brief, we find ourselves in agreement with appellants that the claimed subject matter would not have been obvious to one of ordinary skill in the art within the meaning of 35 U.S.C. § 103 from the teachings found in the applied prior art. Accordingly, we will not sustain either of the examiner's rejections for essentially those reasons expressed on pages 10 through 14 of the brief and pages 6 through 8 of the reply brief. We add the following primarily for emphasis.

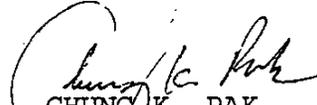
As pointed out by appellants, Suginoya disposes a protective layer at the interface between color filters and a polyimide orientation film. The protective layer is used only because Suginoya recognizes that thermo stresses created at the interface of color filters and a polyimide orientation film are so great as to cause problems. Suginoya, however, does not recognize that

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covered with both the electroconductive and alignment layers suffers from the same problem disclosed in Sekimura, we find no suggestion or motivation to apply the protective layer of Sekimura on the color filter layer of the admittedly known multicolor liquid crystal display device.

The decision of the examiner rejecting claims 9 through 21 is reversed.

REVERSED

  
BRADLEY R. GARRIS )  
Administrative Patent Judge )  
)  
  
CHUNG K. PAK )  
Administrative Patent Judge )  
)  
  
CHARLES F. WARREN )  
Administrative Patent Judge )

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