

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(2) is not binding precedent of the Board.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 HIDEYUKI MURAKAMI,
YUSAKU URYU, AKIRA HORI,
YASUHIRO MATSUO, and RYUICHI EDASAKI

Appeal No. 95-4919
Application 08/096,516¹

HEARD: Apr. 7, 1999

Before SOFOCLEOUS, JOHN D. SMITH, and GARRIS, Administrative
Patent Judges.

GARRIS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on an appeal from the final rejection
of claims 1 through 8 which are all of the claims in the

¹ Application for patent filed July 23, 1993.

Appeal No. 95-4919
Application No. 08/096,516

application.

The subject matter on appeal relates to a method for adhesively bonding an overlay film of a plastic resin to the surface of an acrylic resin board with a hot-melt adhesive. Further details of this appealed subject matter are readily apparent from a review of claim 1, the sole independent claim on appeal, a copy of which taken from the appellants' brief is appended to this decision.

The references relied upon by the examiner as evidence of obviousness are:

Wheeler	2,451,597	Oct. 19, 1948
Neher et al.	2,464,826	Mar. 22, 1949

The appealed claims stand rejected under 35 U.S.C. § 103 as being unpatentable over Neher in view of Wheeler.

We refer to the brief and reply brief and to the answer and supplemental answer for a complete exposition of the opposing viewpoints expressed by the appellants and the examiner concerning the above noted rejection.

This rejection can not be sustained.

We agree with the appellants that the applied references, and in particular Neher, contain no teaching or suggestion of the heating regimen as recited in step (a) or the use of a

Appeal No. 95-4919
Application No. 08/096,516

hot-melt adhesive as recited in step (b) of the independent claim on appeal. Regarding heating step (a), we interpret the independent claim before us consistent with the appellants' specification disclosure to require that this heating step precedes the adhesive forming step (b) as argued by the appellants (e.g., see the paragraph bridging pages 7 and 8 of the brief). In contrast, while the method of Neher includes a heating step, it is clear that this step is practiced after, not before, the adhesive is applied so as to remove the adhesive solvent (e.g., see lines 39 through 44 in column 5 and lines 9 through 17 in column 6). Additionally, we find no support for the examiner's apparent belief that Neher's solvent-based adhesive is readable on or would have suggested the hot-melt adhesive claimed by the appellants.

In light of the foregoing, we can not sustain the examiner's section 103 rejection of claims 1 through 8 as being unpatentable over Neher in view of Wheeler.

Appeal No. 95-4919
Application No. 08/096,516

The decision of the examiner is reversed.

REVERSED

	Michael Sofocleous)	
	Administrative Patent Judge)	
)	
)	
)	
	John D. Smith)	BOARD OF
PATENT)	
	Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
)	
)	
	Bradley R. Garris)	
	Administrative Patent Judge)	

tdc

Appeal No. 95-4919
Application No. 08/096,516

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APPENDIX

90 °C for at least one hour to effect said.

(g) keeping the samples at a temperature in the range from 30 to 40 °C for a period of the resin potting and the overlay film; and
before of the acrylic resin potting or the base resin overlay film, softening before of the adhesive not exceeding the softening contact with each other is at a temperature higher than the other, while at least either one of the surfaces to be bonded into adhesive on the resin potting or on the overlay film is the contact with each other under pressure, the layer of the pot-weld
(c) priming the acrylic resin potting and the overlay film into overlay film;

one or both of the acrylic resin potting and the base resin-weld
(p) forming a layer of a pot-weld adhesive on the surface of either from 20 to 100 °C for a period of time of at least two hours;

(a) heating the acrylic resin potting at a temperature in the range the steps of:

adhesive to be used as overlay acrylic resin potting which comprises resin to the surface of an acrylic resin potting with a pot-weld

1. a method for adhesively bonding an overlay film of a base resin