

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(2) is not binding precedent of the Board.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. 23

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HORST FROESSL

Appeal No. 95-5009
Application 08/162,367¹

ON BRIEF

Before HAIRSTON, TORCZON and CARMICHAEL, ***Administrative Patent Judges.***

CARMICHAEL, ***Administrative Patent Judge.***

DECISION ON APPEAL

This is an appeal from the final rejection of Claims 11-86, which constitute all the claims remaining in the application.

¹ Application for patent filed December 7, 1993. According to appellant, this application is a continuation of Application 07/783,212 filed October 28, 1991, now abandoned.

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Claim 11 reads as follows:

11. A computer-implemented method of retrievably storing contents of a plurality of documents having images imprinted thereon comprising

optically scanning the documents to generate electrical signals forming a digital representation of the images on the documents,

storing the signals forming the digital image representation of each document,

establishing a font table in memory including signals forming images of characters in a plurality of different fonts, the signals for images of each character of each font having a unique, identifiable location in a memory area,

selectively recognizing and converting groups of characters from signals forming the digital representations of the images into signals representing computer readable code,

storing signals forming images of characters which are not recognizable and convertible as ambiguous characters in unique, identifiable locations in the font table,

searching for a document by the steps of

selecting a search word,

constructing signals forming an image of the selected search word by copying signals representing individual characters from the font table in at least one font,

comparing the signals forming the constructed search word image with signals forming the image representations of scanned and stored documents until a match is found,

selecting images of the ambiguous characters for use in search word images, and

repeating the step of comparing including comparing signals representing images of ambiguous characters with stored

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signals representing images of the document contents until a match is found.

The Examiner's Answer cites the following prior art:

Kato	4,574,395	Mar. 4, 1986
Fujisawa et al. (Fujisawa)	4,985,863	Jan. 15, 1991

OPINION

Claims 11-17, 19-57 and 59-86 stand rejected under 35 U.S.C. § 102 as anticipated by Fujisawa. Claims 18 and 58 stand rejected under 35 U.S.C. § 103 as unpatentable over Fujisawa in view of Kato.

We reverse for the reasons given by Appellants amplified as follows. The claims all require establishing a "font table", using the font table to construct an image signal of a selected search word, and comparing that image signal to "signals forming an image" of scanned and stored documents.

Claims undergoing examination are given their broadest reasonable interpretation consistent with the specification, and limitations appearing in the specification are not to be read into the claims. *In re Etter*, 756 F.2d 852, 858, 225 USPQ 1, 5 (Fed. Cir. 1985) (in banc). In the present case, the meaning of "font table" and "signals forming an image" must be considered in light of the specification.

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The claim term "font table" is defined in the specification as "a matrix of patterns organized in such a way that the alphanumeric characters and other symbols in a specific style of font or type face are correlated with specific locations or 'slots' for those symbols." Specification at 12-13.

The claim term "signals forming an image" refers to "a sequence of light and dark portions which can be thought of as equivalent to pixels." Specification at 8. In other words, "signals forming an image" are stored "without any attempt to recognize or convert the content into ASCII or other code." Specification at 2.

Fujisawa, as the examiner points out, is concerned with poor recognition of different fonts. Column 2, lines 3-10. Fujisawa's solution is to maintain both an image file and a converted data file for each original document. Column 2, lines 53-66. Fujisawa can retrieve images showing the original font, but only after using converted character codes as search terms for comparison to the converted data files. Column 3, lines 2-5.

Appellant's solution, on the other hand, includes the step of establishing a font table as shown in Figure 2 and the step of constructing signals forming an image of a selected search word by copying image signals from the font table.

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Appellant's method further includes comparing the signals forming the constructed search word image with signals forming the image representations of scanned and stored documents.

Fujisawa does not use a constructed image signal as a search term to compare to stored image signals as claimed by Appellants. Therefore, the rejections will not be sustained.

As to dependent claims 18 and 58, the examiner applies Fujisawa as above, further in view of Kato. Kato does not overcome the shortcomings of the basic rejection over Fujisawa. Like Fujisawa, Kato uses a converted character code search term to compare to converted character codes stored in memory, whereas the claimed method uses an (unconverted) image signal search term to compare to (unconverted) image signals stored in memory. Thus, the rejection of claims 18 and 58 will not be sustained.

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CONCLUSION

The rejection of claims 11-86 is not sustained.

REVERSED

KENNETH W. HAIRSTON)	
Administrative Patent Judge)	
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RICHARD L. TORCZON)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
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