

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MASAHIRO KOBORI

Appeal No. 96-0529
Application 07/981,207¹

HEARD: MARCH 11, 1999

Before KRASS, JERRY SMITH and RUGGIERO, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 6 through 9 and 13 through 19. Claims 1 through 5, 10 through 12, 20 and 21 have been withdrawn as directed to a nonelected invention.

¹ Application for patent filed November 25, 1992.

The invention is directed to an apparatus for generating ruled line sheets. More particularly, table information on the positions and lengths of a table is converted into a bar code. When the bar code is printed on the top of a sheet, the code can be later read, wherein the coded information therein is decoded and converted back into the original ruled line information.

Representative independent claim 16 is reproduced as follows:

16. A coding apparatus comprising:

memory means for storing table information;

detecting means for detecting from said table information positions and lengths of ruled lines in respective directions of a table represented by said table information stored in said memory means;

dividing means for dividing the table information into a plurality of areas based on the detected positions of the ruled lines; and

converting means for generating coded information on the ruled lines based on the table information divided into a plurality of areas from said dividing means and the detected positions and lengths from said detecting means.

The examiner relies on the following references:

Tanaka	4,494,862	Jan. 22, 1985
Johnson et al. (Johnson)	5,060,980	Oct. 29, 1991

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Claims 16 through 19 stand rejected under 35 U.S.C. 102(b) as anticipated by Tanaka.

Claims 6 through 9 and 13 through 19 stand rejected under 35 U.S.C. 103 as unpatentable over Johnson and Tanaka.

Reference is made to the briefs and answer for the respective positions of appellant and the examiner.

OPINION

We reverse.

While we appreciate the examiner's efforts in painstakingly setting forth, in the examiner's view, the specific correspondence of the claimed elements and those taught by the applied references, we do not agree with the examiner's interpretation of the references.

More particularly, each and every claim on appeal recites, and requires, in one form or another,

the reading of table information off of a sheet having a table printed thereon wherein the table information includes “positions and lengths of ruled lines” in the table.

The examiner cites Tanaka, Figures 13a-13h and lines 32-40 of column 8, and reports that the table information in Tanaka “includes all information needed to recreate tabular lines (ruled lines)” [answer-page 3, right-hand column at the bottom of the page].

While we would agree with the examiner that Tanaka’s disclosure may be broadly construed to cover the storage of information regarding tables on a sheet of paper wherein that information is encoded in a bar code, Tanaka clearly does not store information regarding the tabular lines, per se. It appears that the examiner has confused the storage of information *in* the table, in Tanaka, with information *about* the table as in the instant claimed invention.

The instant claimed invention clearly calls for the table information stored to include “positions and lengths of ruled lines.” Even assuming, arguendo, that the storage of “positions” of the lines of a table is broadly taught by Tanaka, there is clearly no suggestion in Tanaka, nor has the examiner convincingly pointed to anything therein, related to the storage of table information including “lengths of ruled lines,” as claimed.

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The examiner cites Johnson, together with Tanaka, for application against the claims containing the limitation of a “reading means.” However, Johnson does not remedy the deficiency of Tanaka explained supra. Accordingly, the rejection of claims 16 through 19 under 35 U.S.C. 102(b) and of claims 6 through 9 and 13 through 19 under 35 U.S.C. 103 is not sustained.

The examiner’s decision is reversed.

REVERSED

ERROL A. KRASS)
Administrative Patent Judge)
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) BOARD OF PATENT
JERRY SMITH)
Administrative Patent Judge) APPEALS AND
)
) INTERFERENCES
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JOSEPH F. RUGGIERO)
Administrative Patent Judge)

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