

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(2) is not binding precedent of the Board.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. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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***Ex parte*** J. ALAN GIBSON

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Appeal No. 96-1342  
Application 08/118,878<sup>1</sup>

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ON BRIEF

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Before JERRY SMITH, BARRETT and CARMICHAEL, ***Administrative Patent Judges.***

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

***DECISION ON APPEAL***

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<sup>1</sup> Application for patent filed September 9, 1993.

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Application 08/118,878

This is an appeal from the final rejection of claims 1, 3, 4, and 10-13. The other claims remaining in the application, claims 5, 7-9, and 14-27, have been indicated as being directed to patentable subject matter.

Claim 1 reads as follows:

1. A remote ballasting apparatus for starting and operating a gaseous discharge lamp which allows operation of the lamp at frequencies in excess of 10 kilohertz and at a predetermined distance from the power supply comprising a high frequency power supply and suitable current limiting means connected to the primary winding of an isolation transformer comprising at least a primary winding and first and second secondary windings arranged in a center tapped secondary configuration and wound to minimize interwinding capacitance, a low capacitance power transmission cable having an input end and an output end comprising a first and second conductor with insulation means and an outer sheathing conductor surrounding said first and second conductor and insulated from both said conductors connected with the input end of said first and second conductors connected to the first and second secondary windings respectively of said isolation transformer and the sheathing conductor connected to the center tap of said isolation transformer, the output end of said power transmission cable is connected with the first conductor connected to one end of a gaseous discharge lamp and the second conductor connected to the other end of said gaseous discharge lamp.

The examiner's answer cites the following prior art:

Knoll	4,158,156	Jan. 12, 1979
Nelson	4,229,780	Oct. 21, 1980
Moisin	5,081,401	Jan. 14, 1992

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**OPINION**

The claims stand rejected under 35 U.S.C. § 103 as unpatentable over Nelson in view of Knoll or Moisin.

The examiner's rejections rely on broadly interpreting the recited "outer sheathing conductor" to include a sheath which mechanically guides (conducts) other components such as in Nelson

but which is not **electrically** conductive. Appellants argue that the recited phrase cannot be so broadly interpreted.

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 "outer sheathing conductor" is recited as "connected to the center tap of said isolation transformer." Because the outer sheathing conductor must connect to electrical components, "conductor" is impliedly limited to "electrical conductor." Therefore, the examiner's

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rejections are based on an impermissibly broad claim interpretation.

Moreover, the examiner offers no rationale for connecting any outer sheathing to the center tap as required by the claims.

**CONCLUSION**

The rejections are not sustained.

**REVERSED**

JERRY SMITH )  
Administrative Patent Judge )  
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LEE E. BARRETT ) BOARD OF

PATENT

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Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
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)	
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