

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 18

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JERRY R. SALANDRO

Appeal No. 1998-0148
Application 08/317,990

ON BRIEF

Before HAIRSTON, FLEMING and HECKER, *Administrative Patent Judges*.

HECKER, *Administrative Patent Judge*.

Appellant's request for rehearing is granted to the extent that we have in fact reviewed our findings but is denied as to making any change therein.

REQUEST FOR REHEARING

Appellant requests that we reconsider and modify our decision mailed July 10, 2000, to indicate that the rejection of claims 1 through 4 is reversed.

Appellant argues "The heart of the Board's rejection of Claim 1 is that '[t]he connections of matrix 13 are clearly

displayed in Figure 7 [of Simpson] as a graphical (or pictorial) **representation.**' "

First, we have not made this rejection, we have sustained the Examiner's rejection.

Second, we remain unpersuaded by Applicant's arguments. Appellant's contention (page 3) that Simpson's Figure 7 represents the matrix **after** a selection has been made is irrelevant. The language of claim 1 requires no such distinction. Appellant would have us read claim 1 on Simpson's Figure 4. Figure 4 also displays a **representation** of the matrix of cross-point switches. In Figure 4, however, the lack of connection paths **represents** that no switches have been closed. Our decision discusses the details of connection paths only to explain how the language of Appellant's claim 5 is not met.

Appellant states "Since the switches themselves are represented in the structure of Claim 1, only one input is required,..." (page 5).

Again we note that a broad interpretation of claim 1 reads on Simpson. Neither Appellant nor Simpson display the actual components of a matrix of cross-point switches. Each display a **representation** of such. Appellant's claim 1 recites "**input**

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means". We find no requirement to limit this to one input or a single input, or a single instruction for an input means. Appellant's input means is disclosed as a keyboard, mouse or touch screen. Simpson clearly teaches these devices.

In view of the foregoing, Appellant's request for rehearing is denied as to making any change in our decision.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

DENIED

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KENNETH W. HAIRSTON)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
MICHAEL R. FLEMING)	
Administrative Patent Judge)	APPEALS AND
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)	INTERFERENCES
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STUART N. HECKER)	
Administrative Patent Judge)	

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