

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 21

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KERRY R. MATTHEW and PAUL W. CHAU

Appeal No. 1998-1481
Application No. 08/536,163

ON BRIEF

Before HAIRSTON, KRASS and HECKER, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1-10, all of the pending claims.

The invention pertains to integrated circuit (IC) cards and, more particularly, to an IC card reader with a synthesized speech audio output. The invention is said to be useful, for example, to the vision-impaired in determining the balance on a debit card.

Representative independent claim 1 is reproduced as follows:

1. An IC card reader, comprising:

a portable case having a form factor for fitting into a pocket, purse or wallet;

a substrate in said case;

receiving means on said substrate for receiving an IC card having financial data stored thereon;

reading means on said substrate for reading the stored financial data;

transforming means on said substrate for transforming the read financial data into a series of voice command codes;

voice synthesis means, disposed on said substrate and responsive to the voice command codes, for producing a synthetic speech signal; and

audio outputting means, disposed on said case and responsive to the synthetic speech signal, for outputting an audio synthesized speech signal corresponding to the stored financial data.

The examiner relies on the following references:

Nomura et al. (Nomura)	4,779,138	Oct. 18, 1988
Takahashi	5,247,164	Sep. 21, 1993
Rey	5,272,319	Dec. 21, 1993
Powers	5,521,362	May 28, 1996
		(filed Jun. 08, 1994)

Claims 2, 3, 7, 9 and 10 stand rejected under 35 U.S.C. § 102(b) as anticipated by Nomura. Claims 1, 4-6 and 8 stand rejected under 35 U.S.C. § 103. As evidence of obviousness, the examiner cites Nomura with regard to claim 6, Nomura and Powers with regard to claim 1 and Nomura in view of Rey or Takahashi with regard to claims 4, 5

and 8.

Reference is made to the briefs and answers for the respective positions of appellants and the examiner.

OPINION

We reverse.

Each of the independent claims requires a “voice synthesis means” responsive to voice command codes for producing a synthetic speech signal and outputting the synthesized speech signal.

Each of the outstanding rejections relies on Nomura for the teaching or suggestion of the voice synthesis means. Specifically, the examiner’s position is that Nomura

inherently includes such speech synthesis due to the fact that his system includes a control unit that processes the bits and pieces of digital data that are transferred from the IC card memory into the memory 141 of the portable compact liquid crystal television, and with an aide of audio signal mixer and the decoder, the system combines all of the bits and pieces of the digital data into an audio signal/voice signal to be outputted via a loudspeaker [supplemental answer of June 8, 2000 - Paper No. 17, page 4].

We find no “inherent” speech synthesis in Nomura. In fact, we find no mention or suggestion of speech synthesis anywhere in the disclosure of Nomura. At column 13, lines 8-10 of Nomura, it is stated that the loudspeaker 145 “outputs the sounds represented by the audio signal stored in IC card 190.” Therefore, it would appear that, at least in this embodiment of Nomura’s invention, the outputted sounds are those of

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recorded audio signals. This is in contrast to the “voice synthesis means” and “synthetic speech” signals produced by the instant claimed invention. Unlike the recorded audio signals in Nomura, the instant claimed subject matter is directed to conversion of alpha-numeric, or financial, data into synthetic speech signals. The examiner has pointed to nothing in Nomura suggesting any synthesized speech . Further, none of the other applied references remedies the deficiency of Nomura.

Accordingly, the examiner’s decision rejecting claims 1-10 under 35 U.S.C. § 102 and § 103 is reversed for lack of a prima facie case of anticipation and/or obviousness.

REVERSED

KENNETH W. HAIRSTON)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
ERROL A. KRASS)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES
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)	
STUART N. HECKER)	
Administrative Patent Judge)	

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STEVEN M. RABIN
1725 K STREET, NW
SUITE 1111
WASHINGTON, DC 20006