Paper No. 13

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CRAIG R. NOHL and B. IVAN STROM

Appeal No. 2001-1009
Application No. 08/901,304

ON BRIEF

Before HAIRSTON, KRASS and GROSS, Administrative Patent Judges.

KRASS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the final rejection of claims 1-9 and 17-23, all of the pending claims.

The invention pertains to optical character recognition (OCR). In particular, whereas conventional recognition techniques for numerical entities treated each digit of a number as equally important, the instant invention recognizes that in

recognizing economic amounts, an error in a left-most digit may be "worth" more than an error in a right-most digit. The instant invention produces field recognition scores as a function of the importance of a position in the image.

Representative independent claim 1 is reproduced as follows:

1. An improved method for producing a field recognition score from a scanned image for use in an image recognition system, the improvement comprising the step of:

determining the field recognition score as a function of importance of a character position within a field interpretation of the scanned image.

The examiner relies on the following reference:

Elischer et al. [Elischer] 5,040,226 Aug. 13, 1991

Claims 1-9 and 17-23 stand rejected under 35 U.S.C. 102(b) as anticipated by Elischer.

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

OPINION

With regard to independent claim 1, the examiner contends

that Elischer teaches automatically locating and reading handwritten numeric entries on a document by determining the field overall confidence level (analogized by the examiner to appellants' "field recognition score") which is derived from the confidence levels of individual characters required in the field (citing column 10, lines 33-37, of Elischer). The examiner explains that the characters are based on coordinate positions, citing column 6, lines 2-11, of Elischer, wherein the coordinate positions correspond to the claimed "importance."

We agree with appellants that nowhere in Elischer is there an association of coordinate position with character importance. Moreover, while Elischer does define an overall confidence level for an entire field, the instant claims require the determination of a field recognition score as a function of importance of a *character position*. Elischer neither discloses nor suggests such a limitation.

Thus, Elischer discloses a confidence level associated with each numeric *field* reflecting the degree of confidence with which the apparatus has recognized the numeric dollar amounts (column 3, lines 50-57); Elischer discloses the determination of positions of pixels in the array of the fields (column 4, lines 26-28); Elischer locates predetermined fields running across the

document (column 5, lines 58-61); Elischer records the accumulation of black pixels at the predetermined fields in which characters are written, extracting array coordinate positions of the sequence of predetermined fields (column 6, lines 3-9) and peaks define the positions of the various fields on the document, but there is simply no suggestion in Elischer for determining a field recognition score as a function of importance of a *character position* within a field interpretation of a scanned image, as claimed.

Accordingly, since each and every claimed element is not disclosed, expressly or inherently, by Elischer, there is no anticipation of the instant claimed subject matter by the reference in accordance with 35 U.S.C. 102(b).

The examiner's decision is reversed.

REVERSED

KENNETH W. HAIRSTON Administrative Patent Judge	)	
ERROL A. KRASS Administrative Patent Judge	)	BOARD OF PATENT APPEALS AND INTERFERENCES
ANITA PELLMAN GROSS Administrative Patent Judge	)	

EK/RWK

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