

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(2) is not binding precedent of the Board.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. 11

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RANDALL D. HAMPSHIRE and PHILIP R. WOODS

Appeal No. 95-4227
Application 08/060,858¹

ON BRIEF

Before URYNOWICZ, FLEMING and CARMICHAEL, ***Administrative Patent Judges***.

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

DECISION ON APPEAL

This is an appeal from the final rejection of Claims 1-5, which constitute all the claims remaining in the application.

¹ Application for patent filed May 12, 1993.

Claim 1 is the only independent claim and reads as follows:

1. In a disc drive for the storage of computer files wherein the files are stored along data tracks on data surfaces of a plurality of rotating discs by data heads supported proximately the data surfaces by an actuator positionable with respect to the discs to radially position the data heads on the data surfaces;

wherein the data tracks are organized into concentric cylinders each including a servo track defined by a servo pattern prerecorded on a dedicated servo surface of one of said discs;

and wherein the disc drive comprises servo means, including a servo head supported on the actuator proximate the dedicated servo surface, for positioning the actuator so as to position the servo head in relation to the servo tracks, whereby the servo means can be operated to move the servo head to a selected servo track and subsequently position the servo head in relation to the selected servo track to position the data heads in relation to the data tracks;

a method for following a selected data track on a selected data surface by the data head proximate the selected data surface comprising the steps of:

selecting an optimum track on the dedicated servo surface for positioning the selected data head in relation to the data tracks on the selected data surface by positioning the servo head in relation to the optimum track on the dedicated servo surface, wherein the optimum track is displaced from the servo track in the cylinder containing the selected data track by a track offset comprising a predetermined number of track spacings that will compensate for misalignment between the selected data head and the servo head that exceeds a track spacing;

moving the servo head to the optimum track;

and subsequently positioning the servo head with respect to the optimum track to displace the servo head from the optimum track in accordance with a predetermined thermal

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calibration relation that will compensate for misalignments between the data and servo heads and tracks that are less than a track spacing.

The examiner's Answer cites the following prior art:

Kenny et al. (Kenny)	4,918,972	Apr. 24, 1990
Satoh et al. (Satoh)	5,270,885	Dec. 14, 1993

OPINION

Claims 1-5 stand rejected under 35 U.S.C. § 103 as being unpatentable over Satoh in view of Kenny.

The examiner's rejection is based on the finding that Satoh accounts for misregistration between a data head and a servo head by logically renumbering the data tracks based on an optimal servo track. Examiner's Answer at 4. Appellants argue that Satoh's renumbering operation does not involve the relative locations of data and servo heads. Appeal Brief at 35. We agree with Appellants.

Satoh is concerned about track misalignment while **seeking** a home cylinder, column 2, lines 59-69, and the examiner relies on this in finding a concern with track misalignment while **shifting** (renumbering) the home cylinder. However, Satoh shifts the home cylinder to avoid unusable tracks, not to compensate for track misalignment. When shifting the home cylinder for the

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servo head, Satoh also shifts the home cylinder for the data heads. Column 6, lines 29-66.

Therefore Satoh does not relate to the recited step of selecting an optimum track "wherein the optimum track is displaced from the servo track in the cylinder containing the selected data track by a track offset comprising a predetermined number of track spacings that will compensate for misalignment between the selected data head and the servo head." The secondary reference to Kenny does nothing to compensate for that shortcoming of Satoh.

CONCLUSION

The rejection of Claims 1-5 is not sustained.

REVERSED

STANLEY M. URYNOWICZ, JR.)	
Administrative Patent Judge)	
)	
)	
)	
MICHAEL R. FLEMING)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
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JAMES T. CARMICHAEL)	
Administrative Patent Judge)	

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