

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(2) is not binding precedent of the Board.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. 35

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCE

Ex parte TERUYUKI YOSHIDA, HIDEKI ARAI
and KEIKO KANETSUKA

Appeal No. 95-4711
Application 08/128,053¹

ON BRIEF

Before HAIRSTON, BARRETT and CARMICHAEL, ***Administrative Patent Judges***.

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

DECISION ON APPEAL

¹ Application for patent filed September 28, 1993.
According to appellants, this application is a continuation of
Application 07/798,183 filed November 26, 1991, now abandoned.

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Application 08/128,053

This is an appeal from the final rejection of claims 1-4, which constitute all the claims remaining in the application.

Claim 1 reads as follows:

1. A magnetic recording and reproducing apparatus having a drum around which a magnetic tape is wound, comprising:

a rotary head mounted on said drum for helically scanning said magnetic tape so as to reproduce an information signal recorded on said magnetic tape;

current amplification means disposed inside said drum near said rotary head for amplifying a current representing the reproduced information signal to produce a first reproducing signal;

lower band suppression means disposed inside said drum for suppressing low frequency components of said first reproducing signal to produce a second reproducing signal;

voltage amplification means disposed inside said drum for amplifying a voltage representing said second reproducing signal to produce a third reproducing signal;

a rotary transformer having a primary winding disposed inside said drum for receiving said third reproducing signal, and a secondary winding disposed outside said drum for supplying said third reproducing signal received at said primary winding; and

lower band emphasis means disposed outside said drum for emphasizing said low frequency components suppressed by said lower band suppression means in said third reproducing signal supplied from said secondary winding of said rotary transformer to produce a fourth reproducing signal.

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The Examiner's Answer cites the following prior art:

Sato et al. (Sato)	4,500,932	Feb. 19, 1985
Higurashi	4,562,492	Dec. 31,
1985		
Philipps	5,051,847	Sep. 24, 1991

OPINION

Claims 1, 2, and 4 stand rejected under 35 U.S.C. § 103 as unpatentable over Philipps in view of Higurashi. Claim 3 depends from claim 1 and stands rejected under 35 U.S.C. § 103 as unpatentable over Philipps in view of Higurashi as applied to claim 1, further in view of Sato.

The examiner proposes to add Higurashi's lower band suppression and emphasis means to the inside of Philipps' drum. However, the proposed combination does not produce the claimed invention. The claims recite a magnetic recording and reproducing apparatus having lower band suppression means **inside** a drum and a complementary lower band emphasis means **outside** the drum. The examiner's combination would place the suppression means and the emphasis means **both inside** the drum.

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We are unable to identify any suggestion for placing the suppression means inside the drum while placing the emphasis means outside the drum as recited.

Thus, the rejections will not be sustained.

CONCLUSION

The rejections of claims 1-4 are not sustained.

REVERSED

	KENNETH W. HAIRSTON)	
	Administrative Patent Judge)	
)	
)	
)	
	LEE E. BARRETT)	BOARD OF
PATENT	Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
)	
)	
	JAMES T. CARMICHAEL)	
	Administrative Patent Judge)	

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