

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 12

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ALAN GRIMMETT

Appeal No. 96-0303
Application 08/056,718¹

ON BRIEF

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

CARMICHAEL, **Administrative Patent Judge**.

DECISION ON APPEAL

¹ Application for patent filed May 3, 1993.

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This is an appeal from the final rejection of Claims 1 and 5-7, which constitute all the claims remaining in the application.

We reverse.

Claim 1 reads as follows:

1. Data storage apparatus, comprising:

memory means for storing in encoded form a plurality of data items each comprising one or more characters,

a user interface including a display and a keyboard having a plurality of keys, each key having two or more characters associated therewith, wherein in one data entry mode a first character associated with one of the keys is selected by pressing the respective key once, and a second character associated with the key is selected by pressing the respective key twice, said first and second characters being alphabet characters, each of said keys additionally having a numeric character associated therewith and, in a further data entry mode, the numeric character associated with one of the keys is selected by pressing the respective key once, and in a data retrieval mode the individual characters of a data item to be searched are entered by pressing only once for each character the respective key having the desired character associated therewith, the data storage apparatus being adapted to show on the display a data item stored in encoded form in the memory means which corresponds with one of the possible combinations of characters associated with the sequence of keys pressed in the data retrieval mode,

means for converting each data item stored in encoded form in the memory means into a numeric version wherein the component alphabetic characters of the data item are converted into respective numeric characters according to the correspondence of numeric and alphabetic characters associated with the respective keys, and

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means for storing the numeric version of each data item.

The examiner's Answer cites the following prior art:

Rust	0 457 077 A2	Nov.
21, 1991		
(European Patent)		

OPINION

Claims 1 and 5-7 stand rejected under 35 U.S.C. § 103 as unpatentable over Rust.

Rust discloses a data retrieval system in which a telephone keypad button associated with three letters may be pressed just once for each character in a desired name. For example, if a user wants to retrieve the phone number for Mr. King, the user presses 5, then 4, then 6, then 4. Column 6, lines 41-50. The Rust system retrieves all entries that correspond to those four numbers, i.e., the entries whose first letter is on the 5 key (J, K, or L), second letter is on the 4 key (G, H, or I), third letter is on the 6 key (M, N, or O), and fourth letter is on the 4 key (G, H, or I).

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The examiner states that Rust's stored names are inherently converted to and stored in numeric format as required by the claims on appeal. Appellant disagrees. We agree with Appellant.

The claims require a memory means that stores data items in encoded (alphanumeric) form, means for converting each of those alphanumeric data items into numeric characters, and means for storing the numeric version of each data item.

Rust does not say how the database is arranged in memory. Rust must have a memory means for storing data items in alphanumeric form, and some means of correlating letters with numbers. That does not mean that Rust inherently converts and stores each and every alphanumeric item into a numeric version as recited. One skilled in the art would assume that Rust does not convert and store all the data items in numeric form.

The examiner is incorrect to assume that Rust inherently must convert each alphanumeric database item into numeric format for storage. Rust could instead convert each numeric search term into the possible alphabetic forms and search for

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all of those forms in an alphabetical database. That is apparently what Rust does. Column 11, lines 6-53.

Rust wishes to permit searching by entering either numbers or letters. Numbers are entered on a phone keypad but letters are entered on a keypad reserved for alphabetic entry (such as a "QWERTY" keyboard). Column 11, lines 56 through column 12, line 3; and column 12, lines 53-55. A numeric database could not be searched for an alphabetic search term as Rust alternately desires to do. Thus, Rust suggests searching in an alphabetic database, not in a numeric database.

Moreover, Rust permits users to scroll through the last names that begin with J through K on the one hand or L through O on the other. Column 7, lines 37-41. But K and L are on the same telephone button (the 5 button). This further suggests that the searched database is stored in alphabetic form, not in numeric form.

CONCLUSION

The rejection of Claims 1 and 5-7 is reversed.

Reversed

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