

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte YUKIO YANO

Appeal No. 1998-1098
Application No. 08/308,426

ON BRIEF

Before HAIRSTON, FLEMING, and BARRY, Administrative Patent Judges.

BARRY, Administrative Patent Judge.

SUPPLEMENTAL DECISION ON APPEAL

This is a supplemental decision on appeal under 35 U.S.C. § 134 from the rejection of claims 1-12 and 14-34. On September 12, 2000, we issued a decision affirming the rejection of claims 20-34 under 35 U.S.C. § 112, ¶ 1, and reversing the rejections of claims 1-12 and 14-19 under 35 U.S.C. § 103 as obvious over AAPA and of claims 20-34 under § 103 as obvious over AAPA in view of Fox.

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The decision also remanded the instant application to the examiner to reassess the patentability of each claim in view of the combined teachings of the appellant's admitted prior art, U.S. Patent No. 4,439,694 to Fox, and Uyemura, Fundamentals of MOS Digital Integrated Circuits 35 (1988). Responsive to the remand, the examiner issued a paper, which is attached. Nothing explained therein alters our aforementioned affirmance and reversal.

CONCLUSION

In summary, the rejection of claims 20-34 under 35 U.S.C. § 112, ¶ 1 remains affirmed. The rejections of claims 1-12 and 14-19 under 35 U.S.C. § 103 as obvious over AAPA and of claims 20-34 under § 103 as obvious over AAPA in view of Fox, however, remain reversed.

This supplemental decision does not change the provisions of 37 C.F.R. § 1.197(b) regarding a request for rehearing. No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a).

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AFFIRMED-IN-PART

KENNETH W. HAIRSTON)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
MICHAEL R. FLEMING)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
)	
LANCE LEONARD BARRY)	
Administrative Patent Judge)	

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FINNEGAN, HENDERSON, FARABOW
GARRETT & DUNNER
1300 I STREET, NW
WASHINGTON, DC 20005