

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. 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER F. AEMMER

Appeal No.1999-0303
Application No.08/517,628

ON BRIEF

Before URYNOWICZ, BARRETT, and RUGGIERO, Administrative Patent Judges.

URYNOWICZ, Administrative Patent Judge.

Decision on Appeal

This appeal is from the final rejection of claims 1-17, all the claims pending in the application.

The invention pertains to method and apparatus for simulating the processing of products in a textile machine. Claim 1 is illustrative and reads as follows:

1. A method for simulating the processing of input products in a spinning machine by means of a process model of nonlinear equations that is embodied in a neural network, comprising the steps of training the neural network by inputting data relating to (i) said input products, (ii) output products produced by said processing, and (iii) configuration parameters of the processing operation carried out in the spinning machine, and operating the trained neural network to produce estimates of the operation of

Appeal No. 1999-0303
Application No. 08/517,628

the spinning machine.

The references relied upon by the examiner are:

Bhat et al. (Bhat)	5,477,444	Dec. 19, 1995 (filed Sept. 14, 1992)
Takatori et al. (Takatori)	5,553,196	Sept. 03, 1996 (filed Jun. 05, 1995)

Claims 1-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bhat in view of Takatori.

The respective positions of the examiner and the appellant with regard to the propriety of these rejections are set forth in the examiner's answer (Paper No. 13) and the appellant's brief (Paper No. 12).

Opinion

After consideration of the positions and arguments presented by the examiner and the appellants, we have concluded that the rejection should not be sustained.

We agree with appellant that the examiner has failed to meet the requirements for establishing a prima facie case of obviousness, since it has not been shown how the claim limitations are taught or suggested by the combined teachings of the prior art. There is no correlation of the disclosures of the references to the particular features recited in the claims. The examiner's answer simply sets forth a selected description of Bhat, apparently taken from the ABSTRACT, and a conclusion that it would have been obvious to implement the adaptive neural network system as disclosed in Bhat in a textile or spinning control system since

Appeal No. 1999-0303
Application No. 08/517,628

Takatori teaches that it

is advantageous to use neural networks for quality control of textiles and knitting.

Further basis for not sustaining the rejection of claims 1-17 as noted by appellant is that the combined teachings do not suggest simulating the behavior of a given process in the field of yarn production. The main reference, Bhat, is directed to optimizing parameters of a system, such as a depropanizer-debutanizer apparatus in an oil refinery. Bhat is not involved with simulation. The combined teachings of Bhat and Takatori at best might have suggested optimizing parameters of a textile system using neural networks but it has not been established that they would have suggested simulation of a textile system.

REVERSED

STANLEY M. URYNOWICZ JR.)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
LEE E. BARRETT)	APPEAL AND
Administrative Patent Judge)	INTERFERENCES
)	
)	
)	
JOSEPH F. RUGGIERO)	
Administrative Patent Judge)	

Appeal No. 1999-0303
Application No. 08/517,628

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