

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 46

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte AKIRA YAMAUCHI, HIDEKI MIMURA, TOMOKO ONO, FUMIO IZAWA, MIKIO KAKIZAKI, TAKAAKI SUYAMA and SHUICHI HISATOMI

Appeal No. 1999-1893
Application No. 08/192,306

HEARD: January 24, 2001

Before THOMAS, HAIRSTON, and LEVY, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This appeal involves claims 48 through 55.

The disclosed invention relates to an image data processing apparatus having an editing machine for processing digital image data and for transferring the image data between a plurality of memory cards and a plurality of external devices.

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Claim 48 is illustrative of the claimed invention, and it reads as follows:

48. An image data processing apparatus having an editing machine for processing digital image data and transferring the image data between a plurality of memory cards in which digital image data is recorded and a plurality of external devices in which digital image data is recorded, said editing machine comprising:

a plurality of holding parts for holding said memory cards;

a plurality of connecting parts for respectively connecting the plurality of external devices to the editing machine;

first data processing means for selectively reading the digital image data from said plurality of memory cards held by said plurality of holding parts, compressing the digital image data by a discrete cosine transform system or expanding the data by a reverse discrete cosine transform system, and transferring the data to said external devices connected to said plurality of connecting parts;

second data processing means for selectively reading said digital image data from said external devices connected to said connecting parts, compressing the digital image data by the discrete cosine transform system or expanding the data by the reverse discrete cosine transform system, and transferring the data to said memory cards held in said holding parts; and

third data processing means for selectively reading the digital image data from said memory cards held in said holding parts, compressing the digital image data by the discrete cosine transform system or expanding the data by the reverse discrete cosine transform system, and transferring the data to the memory cards other than said memory cards from which the digital image data has been read out.

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The references relied on by the examiner are:

Wernikoff et al. (Wernikoff) 7, 1973	3,751,582	Aug.
Walter et al. (Walter) 1985	4,513,390	Apr. 23,
Keller et al. (Keller) 1987	4,688,106	Aug. 18,
Sato et al. (Sato) 1989	4,887,165	Dec. 12,
Sakata et al. (Sakata '114) 1991	5,016,114	May 14,
Sakata et al. (Sakata '284) 1992	5,105,284	Apr. 14,
Nakajima 1986 (Japanese Patent Application)	61-221820	Oct. 2,
Kawamura et al. (Kawamura) 1990 (European Patent Application)	0 390 421	Oct. 3,

Claims 48 through 53 and 55 stand rejected under 35
U.S.C.

§ 103 as being unpatentable over Sato in view of Sakata '114
or Sakata '284, Walter, Nakajima or Keller and Kawamura.

Claim 54 stands rejected under 35 U.S.C. § 103 as being
unpatentable over the references applied with respect to
claims 48 through 53 and 55 in further view of Wernikoff.

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Reference is made to the briefs and the answer for the respective positions of the appellants and the examiner.

OPINION

The obviousness rejection of claims 48 through 55 is reversed.

We agree with the examiner (Answer, pages 4 and 5) that Sato discloses an image processing system with a detachable editing apparatus. A portable image reader (Figure 5) is moved by hand over an original document to read image data from the original document 35. The scanned image data is stored in memory package 17 (Figures 1 and 3 through 5). We likewise agree with the examiner that an external device can be connected to the output unit 4, and that Sato would inherently include connecting parts for connecting the external unit to the image reader. We also agree with the examiner (Answer, pages 4 and 5) that control unit 10 is a data processing means, that input unit 3, control unit 10 and connector 7 form an editing machine, and the "connector 7 connects the memory card 17 with the editing machine (column 7 lines 40-56 and see Figure 1)," and that the editing machine, therefore, has holding parts for holding the memory card 17.

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The examiner acknowledges (Answer, page 5) that Sato differs from the claimed invention "in that it fails to specifically discuss transferring the digital image data to and from the memory cards while encoding and decoding the image data."

In appellants' proposed findings of facts and conclusions of law (Reply Brief, Appendix, page i), they argue: that each of the claims on appeal requires "a structure in which a plurality of 'memory cards' can be attached to an image data processing

apparatus having an 'editing machine,' and in which data can be transferred from the editing machine to be stored onto the memory cards, and further such that data can be transferred from one memory card to be stored onto another memory card"; that "the device of Sato et al only operates so that data scanned by an image sensor 12 in image reader 11 is stored in memory package 17"; and that "[t]he Examiner's Answer has not set forth any basis as to why one of ordinary skill in the art

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would modify the device of Sato et al so that data can be transferred from one memory package 17 to another memory package 17." We agree with appellants' arguments.

While the Sakata references do teach "a **magnetic card** for storing image data which is **either read to the card or read from the card** through image data interfaces" (Answer, page 5), they do not, however, teach transferring image data from one magnetic card to another magnetic card, and the examiner has not presented a line of reasoning for transferring data in Sato from one memory package 17 to another memory package 17.

With respect to the teachings of Walter, we agree with the examiner (Answer, page 5) that this reference teaches the connection of a plurality of external devices to an image processing system. On the other hand, we agree with appellants that Walter would not have suggested the transfer of data from one memory package 17 to another memory package 17 in Sato.

The examiner relied on Keller to teach data transfer to and from a plurality of disk in parallel, and on Nakajima to teach "the use of disks 7A and 8A to allow accessing of two

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different sources of image data" (Answer, page 6). Even if we assume for the sake of argument that the examiner is correct that it would have been obvious to the skilled artisan to apply the teachings of Keller or Nakajima to the teachings of Sato "so that data from more than one source may be input and the result recorded," we must nevertheless agree with the appellants that these teachings would not have suggested to the skilled artisan that the image data on one memory package 17 should be transferred to another memory package 17 in Sato.

Although Kawamura uses a discrete cosine transformation coding technique to compress/expand image data in a camera, Kawamura, like the other applied references of record, neither teaches nor would have suggested to the skilled artisan image data transfer between two different memory cards in an editing machine.

The reference to Wernikoff was applied by the examiner (Answer, pages 7 and 8) to demonstrate that it is well known in the art to store extension programs in a memory cartridge as required by dependent claim 54. Wernikoff is silent as to

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data transfer between two different memory sources in an editing machine.

In summary, we agree with appellants' argument (Reply Brief, Appendix, page iii) that "[t]he subject matter of Claims 48-55 would not have been obvious over the prior art and the claimed invention is, thus, not unpatentable under 35 U.S.C. § 103."

DECISION

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The decision of the examiner rejecting claims 48 through
55 under 35 U.S.C. § 103 is reversed.

REVERSED

JAMES D. THOMAS)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
KENNETH W. HAIRSTON)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
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)	
STUART S. LEVY)	
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APJ LEVY

APJ THOMAS

DECISION: REVERSED
Send Reference(s): Yes No
or Translation (s)
Panel Change: Yes No
Index Sheet-2901 Rejection(s):

Prepared: October 17, 2001

Draft Final

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PALM / ACTS 2 / BOOK
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