

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 19

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WOLFGANG MAYER

Appeal No. 2002-0902
Application No. 09/231,672

HEARD: January 8, 2003

Before WARREN, DELMENDO, and POTEATE, Administrative Patent Judges.

DELMENDO, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on an appeal under 35 U.S.C. § 134 (2002) from the examiner's final rejection of claims 1 through 20, which are all of the claims pending in the above-identified application.

The subject matter on appeal relates to a press section of a machine for producing a fiber material web (claims 1-10) and to a process of guiding a fiber material web through a press section of a web producing machine (claims 11-20). Further

details of this appealed subject matter are recited in representative claims 1 and 11, the only independent claims on appeal, reproduced below:

1. A press section of a machine for producing a fiber material web comprising:
at least two double-felted presses arranged in series in a travel direction of the fiber material web;
an upstream one of the at least two double-felted presses comprising a deflection-controlled shoe press roll and a suction roll; and
the deflection-controlled shoe press roll and suction roll being arranged to form the upstream press nip, and the suction roll having a suction zone arranged to extend, in a downstream direction, beyond the upstream press nip; and
the web and one of the felts of the upstream double-felted press being guided around the suction roll and over the suction region downstream of the upstream press nip.

11. A process of guiding a fiber material web through a press section of a web producing machine that includes at least two double-felted presses arranged in series in a travel direction of the fiber material web, the process comprising:
guiding the fiber material web through a press nip of an upstream one of the at least two double-felted presses formed by a deflection-controlled shoe press roll and a suction roll, wherein the suction roll has a suction zone arranged to extend, in a downstream direction, beyond the upstream press nip, and
guiding the fiber material web and one of the felts of the upstream double-felted press around the suction roll and over the suction zone downstream of the upstream press nip.

The examiner admits that Laapotti does not disclose the use of at least two double-felted presses arranged in series as recited in appealed claims 1 and 11. (Answer, page 2.)

Nevertheless, the examiner argues that a water-absorbing transfer band loop 60a corresponds to a "felt." (Id.)

We disagree with the examiner's analysis. While the specification does not define the term "felt" or "felted," McGraw-Hill Dictionary of Scientific and Technical Terms 740 (5th ed., edited by Sybil P. Parker, 1993) (copy attached) includes "[a] compressed, densely matted unwoven fabric of wool, sometimes with rayon or hair" as a definition for the term. It is clear, therefore, that the examiner erred by asserting that a water absorbing material is necessarily a felt material. In the present case, the examiner has not adequately explained why one of ordinary skill in the art would have been led solely from the teachings of the prior art to select felt, out of a potentially infinite genus of materials, as the material for the transfer band loop 60a. In re Jones, 958 F.2d 347, 350, 21 USPQ2d 1941, 1943 (Fed. Cir. 1992).

For these reasons and those set forth in the appellant's briefs, we hold that the examiner has not established a prima facie case of obviousness against the appealed claims within the meaning of 35 U.S.C. § 103(a).

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The examiner's decision to reject appealed claims 1 through 20 under 35 U.S.C. § 103(a) as unpatentable over Laapotti is reversed.

REVERSED

Charles F. Warren)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
Romulo H. Delmendo)	
Administrative Patent Judge)	APPEALS AND
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)	INTERFERENCES
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Linda R. Poteate)	
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