

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WOJCIECH PAWLOWSKI

Appeal No. 95-1655
Application 07/788,829¹

ON BRIEF

Before THOMAS, BARRETT and LEE, Administrative Patent Judges.
THOMAS, Administrative Patent Judge.

DECISION ON APPEAL

Appellant has appealed to the Board from the examiner's final rejection of claims 1 to 23, which constitute all the claims in the application.

¹ Application for patent filed November 7, 1991.

We reverse this rejection.

Appellant's prior art Fig. 3 and its associated discussion at specification page 3 indicates that the prior art controller/driver 16 may be operated with either 4-bit or 8-bit microprocessors. Fig. 3 itself shows an 8-bit microprocessor operated in an 8-bit mode with one of these prior art controller/drivers.

On the other hand, prior art Fig. 4 also shows an 8-bit microprocessor used in an 8-bit mode for two of the above identified prior art controller/drivers each of which in turn is operated in an 8-bit mode.

To meet the above noted feature of representative independent claim 1 and the other independent claims having comparable features, we need a teaching which indicates that an 8-bit microprocessor as claimed may operate to provide outputs from two 4-bit modes. We do not derive such a teaching from Nishida, which contains no teaching or suggestion of utilizing a microprocessor in any manner. In contrast to a normal digital data operated system, analog data feeds the ADC 2 in Nishida's Fig. 2 providing 8 output bits feeding in parallel to decoder-drivers 5 and 6 respectively as well as a single decoder-driving circuit 4. This latter driver feeds a thermal print head and the

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other decoder-drivers 5 and 6 operate to drive the LEDs indicated in the figure. These decoder-drivers 5 and 6 essentially split the bit output from the buffer register 3 in an effort to respectively drive the LEDs 500 etc. and 600 etc. respectively.

Considering the collective teachings of the references, we find there is no teaching in the prior art relied upon to cause an 8-bit microprocessor to operate in a 4-bit output mode or some form of a two step 4-bit output mode, such that the data output from such a microprocessor may be split or paired between respective control devices. Because Nishida has no such microprocessor, the suggestion to do so to meet the above noted language of each independent claim cannot come from Nishida, and it is not present in the admitted prior art either. Thus, we conclude that the collective teachings of the prior art, even if properly combinable within 35 U.S.C. § 103, would not have led the artisan to the subject matter of the claims on appeal.

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In view of the foregoing, we reverse the rejection of claims
1 to 23 under 35 U.S.C. § 103.

REVERSED

JAMES D. THOMAS)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
LEE E. BARRETT)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
JAMESON LEE)	
Administrative Patent Judge)	

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