

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(2) is not binding precedent of the Board.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. 23

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte NOBUO USUI,
JUNICHI SUZUKI, and HIROYUKI SHIROZUKA

Appeal No. 1997-1054
Application 08/108,543

HEARD: MARCH 8, 2000

Before GARRIS, OWENS, and KRATZ, Administrative Patent Judges.

GARRIS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on an appeal from the final rejection
of claims 15 through 20 which are all of the claims pending in
the application.

Appeal No. 1997-1054
Application No. 08/108,543

The subject matter on appeal relates to a method of mold press forming a laminated assembly which includes the step of introducing hot air into at least one air hole provided in a second die using an air pressure control means, whereby the temperature of the hot air softens a surface skin member mounted over the surface of the second die. This appealed subject matter is adequately illustrated by independent claim 15 which reads as follows:

15. A method of mold press forming a laminated assembly comprising a surface skin member and a resin core member, comprising the steps of:

opening a die assembly including a first die having a first die surface having a prescribed surface contour, and a second die surface adapted to cooperate with said first die surface to define a cavity for mold press forming, second die being provided with at least one air hole communicating said second die surface with air pressure control means;

mounting a surface skin member over said second die surface of said second die;

introducing hot air into said air hole by using said air pressure control means, the temperature of said hot air being such as to soften said surface skin member;

supplying molten resin on said first die surface of said first die;

closing said die assembly while said molten resin and said surface skin member retain at least some of their plastic properties so as to mold said molten resin into said resin core member and to integrally join said surface skin member with said resin core member; and

Appeal No. 1997-1054
Application No. 08/108,543

opening said die assembly to remove a thus completely laminated molded assembly therefrom.

The references set forth below are relied upon by the examiner as evidence of obviousness:

Hanamoto et al. (Hanamoto)	4,639,341	Jan. 27, 1987
Sheffield et al. (Sheffield)	4,653,997	Mar. 31, 1987

All of the appealed claims stand rejected under 35 U.S.C. § 103 as being unpatentable over Hanamoto in view of Sheffield.

We refer to the brief and reply brief and to the answer for a complete exposition of the opposing viewpoints expressed by the appellants and the examiner concerning the above noted rejection.

We cannot sustain this rejection.

As correctly pointed out by the appellants, the prior art applied by the examiner contains no teaching or suggestion of the "introducing" step defined by appealed independent claim 15. That is, we find nothing and the examiner points to nothing in the Hanamoto and Sheffield references which would have suggested somehow modifying the method of Hanamoto in such a manner as to achieve the here claimed step of

Appeal No. 1997-1054
Application No. 08/108,543

introducing hot air into at least one air hole provided in a second die by using an air pressure control means, the temperature of the hot air being such as to soften the surface skin member which is mounted on the second die. While Hanamoto discloses a heating unit 44a which heats and thereby softens patentee's sheet 32 (analogous to the here claimed surface skin member), the applied prior art provides no teaching, suggestion or incentive for achieving this heating function via the hot air introducing step claimed by the appellants. More specifically, the examiner has given no reason why an artisan with ordinary skill would have been motivated to modify Hanamoto's female mold 18 (analogous to the here claimed second die) in such a manner as to result in the introducing step under consideration.

Under these circumstances, we cannot sustain the examiner's section 103 rejection of claims 15 through 20 as being unpatentable over Hanamoto in view of Sheffield.

Appeal No. 1997-1054
Application No. 08/108,543

The decision of the examiner is reversed.

REVERSED

	Bradley R. Garris)	
	Administrative Patent Judge)	
)	
)	
)	
	Terry J. Owens)	BOARD OF
PATENT)	
	Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
)	
)	
	Peter F. Kratz)	
	Administrative Patent Judge)	

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Appeal No. 1997-1054
Application No. 08/108,543

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