

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD J. GLASS

Appeal No. 1998-2879
Application No. 08/474,856

ON BRIEF

Before HAIRSTON, BARRETT, and LALL, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1 through 14 and 18 through 20.

The disclosed invention relates to a distributed buffering arrangement in which a buffer circuit that is functionally independent from a functional circuit, and that resides on the same microcircuit as the functional circuit

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buffers control signals.

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Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. A device for use in an array of microcircuit devices, said array of devices having distributed buffering of control signals, each device requiring buffered control signals to be applied thereto, said array further including a network for distribution of said buffered control signals to said array of devices, each of said devices comprising:

functional circuitry for processing signals applied thereto; and

a buffer circuit functionally independent from and residing on the same microcircuit as said functional circuitry, wherein each buffer circuit buffers one of a plurality of control signals, each said one buffered control signal being applied to said network for distribution to functional circuitry of devices of said array.

The references relied on by the examiner are:

Hoffman et al. (Hoffman)	3,868,657	Feb.
25, 1975		
Redwine	4,110,639	Aug. 29,
1978		
Matsuo et al. (Matsuo)	5,134,583	Jul. 28,
1992		

Claims 1, 3, 5 through 8, 10, 12 through 14 and 18 through 20 stand rejected under 35 U.S.C. § 102 as anticipated by Matsuo or, in the alternative, under 35 U.S.C. § 103 as being unpatentable over Matsuo.

Claims 2, 9 and 20 stand rejected under 35 U.S.C. § 103

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as being unpatentable over Matsuo in view of Redwine.

Claims 4 and 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over Matsuo in view of Hoffman.

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

OPINION

With the exception of the 35 U.S.C. § 102/35 U.S.C. § 103 rejections of claims 18 and 19, all of the rejections are reversed.

Turning first to the 35 U.S.C. § 102/35 U.S.C. § 103 rejections based upon the teachings of Matsuo, appellant argues (Brief, page 6) that:

In addressing this rejection, the first problem is that the DIB buffer circuit [in Matsuo] is an [sic, a] "data input buffer circuit" (cf. '583, Column 5, line 66 through Column 6, line 13 wherein is found a description of this buffer circuit). The control signal DiC_ is not buffered by this circuit, but controls the passage of data signals through this data buffer circuit.

Matsuo clearly explains (column 2, lines 21 through 25; column 4, lines 21 through 43; and column 5, line 66 through column 6, line 13) that data, and not the control signal, is

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buffered by the data input buffer DIB. For this reason, we will reverse the 35 U.S.C. § 102/35 U.S.C. § 103 rejections of claims 1, 3, 5 through 8, 10, 12 through 14 and 20.

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Appellant's argument (Brief, pages 10 and 11) concerning the buffering of control signals in the system of claim 18 is without merit since this claim does not recite such signals. When this claim is given its broadest reasonable interpretation,¹ we find that the claimed buffered "signals" is broad enough to read on the data signals that are buffered in Matsuo. For this reason, we will sustain the 35 U.S.C. § 102/35 U.S.C. § 103 rejections of claim 18. We will likewise sustain the 35 U.S.C. § 102/35 U.S.C. § 103 rejections of claim 19 because appellant has not presented separate patentability arguments for this claim.

The 35 U.S.C. § 103 rejection of claims 2, 9 and 20 based upon the combined teachings of Matsuo and Redwine is reversed because Matsuo is silent concerning a pull-up resistor that is operable in connection with the buffer circuit, and the "elements 43 and 44" in Redwine are not pull-up resistors (Answer, page 6).

¹During ex parte examination of an application, claims are given their broadest reasonable interpretation, and limitations appearing in the specification are not to be read into the claims. In re Etter, 756 F.2d 852, 858, 225 USPQ 1, 5 (Fed. Cir. 1985).

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The 35 U.S.C. § 103 rejection of claims 4 and 11 is reversed because the teachings of Hoffman do not cure the noted shortcoming in the teachings of Matsuo.

DECISION

The decision of the examiner rejecting claims 1, 3, 5 through 8, 10, 12 through 14 and 18 through 20 under 35 U.S.C. § 102/35 U.S.C. § 103 is affirmed as to claims 18 and 19, and is reversed as to the remainder of the claims. The decision of the examiner rejecting claims 2, 4, 9, 11 and 20 under 35 U.S.C. § 103 is reversed. Accordingly, the decision of the examiner is affirmed-in-part.

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No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a).

AFFIRMED-IN-PART

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KENNETH W. HAIRSTON))
Administrative Patent Judge)	
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)	BOARD OF PATENT
LEE E. BARRETT))
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
PARSHOTAM S. LALL)	
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KWH:hh

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