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McCarter & English, LLP / Albany International Worldwide Plaza, 825 Eighth Ave., 31st Floor New York, NY 10019			PIZIALI, ANDREW T	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROBERT A. HANSEN, BJORN RYDIN,
and GLENN KORNETT

Appeal 2019-001796
Application 12/345,215
Technology Center 1700

Before LINDA M. GAUDETTE, WESLEY B. DERRICK, and
MONTÉ T. SQUIRE, *Administrative Patent Judges*.

SQUIRE, *Administrative Patent Judge*.

DECISION ON APPEAL¹

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's decision rejecting claims 1, 3–5, 9–12, 16–20, and 22–25.^{2,3} We have jurisdiction under 35 U.S.C. § 6(b).

¹ In this Decision, we refer to the Specification filed Dec. 29, 2008 (“Spec.”); the Non-Final Office Action mailed June 14, 2018 (“Non-Final Act.”); the Appeal Brief filed July 13, 2018 (“Appeal Br.”); the Examiner’s Answer mailed Nov. 2, 2018 (“Ans.”); and the Reply Brief filed Dec. 27, 2018 (“Reply Brief”).

² We use the word “Appellant” to refer to “Applicant” as defined in 37 C.F.R. § 1.42(a). Appellant identifies Albany International Corp. as the real party in interest. Appeal Br. 3.

³ Claims 2, 6–8, 13–15, 21, and 26–48 are withdrawn or cancelled. Appeal Br. 4.

We REVERSE.

CLAIMED SUBJECT MATTER

Appellant's disclosure relates to a laminated pad structure, which contains both axially elastomeric yarns and relatively inelastic yarns in various patterns. Abstract. According to the Specification, the structure includes functional yarns in a longitudinal direction, layered both over, as well as under, the elastic media layered in a cross-direction. Spec. 2.

Regarding the "laminated structure" recitation of the claimed subject matter, the Specification discloses that the pad's structure includes, for example, "two woven layers with an elastomeric layer there between" and "a binder yarn weaving between the layers." Spec. 5:9–12. Figure 10A of the Specification also shows the claimed laminated structure with elastomeric yarn 40 and functional yarns 20 and 30 laminated between two fabrics, as described at page 5 of the Specification. Spec. 12:1–4, Fig. 10A.

The Specification further describes the entire structure as being "bound together" in order to allow further processing of the structure as a "base fabric" and bonded together via the use of, for example, adhesives, welding technology, or laser bonding. Spec. 2:29–32. The structure is also said to have a high degree of both compressibility under an applied normal load and excellent recovery (resiliency or spring back) upon removal of that load. Abstract; Spec. 1: 10–12, 2:12–14, 2:17–19.

Claim 1 illustrates the claimed subject matter on appeal and is reproduced below from the Claims Appendix to the Appeal Brief (Appendix I):

1. A compressible resilient pad, the pad having an original thickness and includes a structure comprising:

a plurality of parallel warp yarns;
a plurality of parallel shute yarns;
wherein either or both of shute yarns or warp yarns are
comprised of an axially elastomeric material,
wherein the structure is a laminated structure
comprising:
a first layer of the parallel yarns running in either the
warp or the shute direction;
a second layer of the parallel yarns on one side of the
first layer, the second layer's yarns running in the warp or shute
direction different from that of the first layer and comprising
the elastomeric yarns; and
a third layer of the parallel yarns on the opposite side of
the second layer as the first layer and running in the same
direction as those of the first layer,
wherein the parallel yarns of the third layer are aligned
such that the parallel yarns of the third layer nest between the
parallel yarns of the first layer without interfering with one
another to allow the structure to compact to form a planar
structure in a through thickness direction when the pad is under
a pressure load;
wherein the elastomeric yarns are elastic in their through
thickness direction and length or axial direction such that under
the pressure load the elastomeric yarns stretch and compress to
conform to the nesting and, the structure springs back to
substantially the original thickness after removal of the pressure
load.

Appeal Br. 34 (Claims Appendix I) (key disputed claim language italicized
and bolded).

REFERENCES

The Examiner relies on the following prior art references as evidence in rejecting the claims on appeal:

Name	Reference	Date
Pufahl	US 3,316,136	Apr. 25, 1967
Maglio et al. (“Maglio”)	US 3,537,928	Nov. 3, 1970
Gaffney	US 3,723,218	Mar. 27, 1973
Wiegand	US 4,088,805	May 9, 1978
Fontana (“Fontana ’840”)	US 4,328,840	May 11, 1982
Fontana (“Fontana ’841”)	US 4,328,841	May 11, 1982
Basse et al. (“Basse”)	US 5,436,052	July 25, 1995
Morman et al. (“Morman”)	US 6,001,460	Dec. 14, 1999

REJECTIONS

On appeal, the Examiner maintains (Ans. 3) the following rejections:⁴

1. Claims 1, 4, 5, 9–12, 16–20, and 23–25 are rejected under 35 U.S.C. § 102(b) as anticipated by Basse or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Basse in view of Gaffney (“Rejection 1”). Ans. 4.
2. Claims 1, 4, 5, 9–12, 16–20, and 23–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Basse in view of Wiegand (“Rejection 2”). *Id.* at 6.
3. Claims 1, 4, 5, 9–12, 16–20, and 23–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Wiegand in view of Basse (“Rejection 3”). *Id.* at 8.

⁴ The Examiner’s § 103 rejections based on Eagles et al. (US 6,158,576, issued Dec. 12, 2000) in combination with certain other references are withdrawn by the Examiner at page 3 of the Answer.

4. Claims 1, 3–5, 9–12, 16–20, and 22–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Fontana ’840 in view of Morman (“Rejection 4”). *Id.* at 10.

5. Claims 1, 3–5, 9–12, 16–20, and 22–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Fontana ’840 in view of Maglio (“Rejection 5”). *Id.* at 12.

6. Claims 1, 3–5, 9–12, 16–20, and 22–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Fontana ’840 in view of Pufahl (“Rejection 6”). *Id.* at 14.

7. Claims 1, 3–5, 9–12, 16–20, and 22–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Fontana ’841 in view of Morman (“Rejection 7”). *Id.* at 16.

8. Claims 1, 3–5, 9–12, 16–20, and 22–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Fontana ’841 in view of Maglio (“Rejection 8”). *Id.* at 18.

9. Claims 1, 3–5, 9–12, 16–20, and 22–25 are rejected under pre-AIA 35 U.S.C. § 103(a) as being unpatentable over Fontana ’841 in view of Pufahl (“Rejection 9”). *Id.* at 20.

OPINION

Rejection 1

The Examiner rejects claims 1, 4, 5, 9–12, 16–20, and 23–25 under § 102(b) as anticipated by Basse or, in the alternative, under § 103(a) as obvious over the combination of Basse and Gaffney (Ans. 4–6), which we refer to as Rejection 1.

The Examiner determines that Basse discloses all of the limitations of claim 1 and concludes the reference anticipates the claim. Ans. 4–5.

Alternatively, the Examiner determines that the combination of Basse and Gaffney suggests a pad satisfying all of the limitations of claim 1 and concludes the combination would have rendered the claim obvious. *Id.* at 5.

Appellant argues the Examiner’s rejection of claim 1 should be reversed because Basse does not disclose or suggest a “laminated structure,” as recited in the claim. Appeal Br. 7–9; Reply Br. 2–3. Appellant contends that, in contrast to the claimed laminated structure, Basse discloses a net made up of three layers of offset strands wherein the strands in the outer planes are connected to strands in the middle plane at points of intersection. Appeal Br. 9 (citing Basse, Abstract, 2:47–51, 2:67–3:2).

Appellant further argues the Examiner’s rejection should be reversed because Gaffney does not cure the deficiencies in Basse’s disclosure. Appeal Br. 10. Appellant contends that, like Basse, Gaffney does not disclose or suggest a laminated structure, as recited in the claim. *Id.* at 10. Rather, Appellant contends Gaffney is directed to a method for manufacturing net and net-like products and discloses that these types of netting products can be bonded via a certain extrusion process to form an extruded net. *Id.* at 10–11 (citing Gaffney 1:35–40, 1:45–48, 2:30–34); *see also* Gaffney 1:11–12 (Abstract) (“A method and apparatus for the manufacture of net and netlike products from molten polymer is provided.”).

Appellant’s arguments are persuasive because the Examiner has not established by a preponderance of the evidence that Basse, individually or in combination with Gaffney, discloses or suggests a “laminated structure,” as claimed. The Examiner also has not provided adequate reasoning or

directed us to persuasive evidence in the record sufficient to establish one of ordinary skill would have combined Basse and Gaffney to arrive at the claimed invention. *In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992) (holding the examiner bears the initial burden of establishing a prima facie case of obviousness).

None of the portions of Basse or Gaffney the Examiner cites and relies upon in the rejection discloses or suggests a laminated structure as required by the claim. *See* Ans. 4–5. Rather, as Appellant correctly points out (Appeal Br. 9), Basse is directed to and discloses a net and, in particular, a spacing net with strands arranged in three planes and strands in two planes oriented equidirectionally. Abstract, 1:26–29, 2:43–46. Although Basse teaches that the inner strands of the net may be elastically deformable and have good resilience (Basse 1:40–45, 1:50–52), Basse does not teach or suggest that the net is a laminated structure, as claimed.

Gaffney, likewise, does not teach or suggest a laminated structure, as claimed. Rather, as Appellant notes (Appeal Br. 10–11), Gaffney is directed to a method for manufacturing net and net-like products and discloses an extrusion process for forming an “extruded net” from molten polymer and that the nets can be bonded during co-extrusion. Gaffney 1:3–4 (Title), 1:10–21 (Abstract), Figs. 1, 2. Although Gaffney discusses co-extruding a plurality of strands or continuous sheets from molten polymer via multiple die members and contacting them to cause bonding to form a net (Gaffney 1:14–21, 1:26–31), there is no teaching or suggestion that the net structure formed via Gaffney’s co-extrusion process is a laminated structure, as recited in the claims.

Moreover, for principally the same reasons provided by Appellant at pages 7–13 of the Appeal Brief and pages 2–3 of the Reply Brief, and in light of the claim language and the Specification’s disclosure regarding the claimed laminate structure being a pad having two woven layers with an elastomeric layer there between (Spec. 5:9–12), we are not persuaded the Examiner has established by a preponderance of the evidence that the net and net-like products disclosed by Basse and Gaffney or co-extruded netting structures resulting from Gaffney’s extrusion process fall within the scope of a laminated structure as claimed.

Appellant also argues one of ordinary skill in the art would not have combined Basse and Gaffney to arrive at the claimed invention because neither reference is analogous art to the claimed invention. Appeal Br. 11–13. Appellant contends that because both Basse and Gaffney concern and are directed to the field of netting, they are not in the same field of endeavor as the claimed invention, and one of ordinary skill in the art would not have been led to either of these references in considering the particular problem addressed by the claimed invention. *Id.* at 12.

Appellant’s argument is persuasive. Two separate tests define the scope of analogous prior art: (1) whether the art is from the same field of endeavor, regardless of the problem addressed and, (2) if the reference is not within the field of the inventor’s endeavor, whether the reference still is reasonably pertinent to the particular problem with which the inventor is involved. *In re Klein*, 647 F.3d 1343, 1348 (Fed. Cir. 2011) (citing *In re Bigio*, 381 F.3d 1320, 1325 (Fed. Cir. 2004)). “A reference is reasonably pertinent if, even though it may be in a different field from that of the inventor’s endeavor, it is one which, because of the matter with which it

deals, logically would have commended itself to an inventor's attention in considering his problem." *In re Clay*, 966 F.2d 656, 659 (Fed. Cir. 1992).

We find that neither Basse nor Gaffney is from the same field of endeavor as the claimed invention. The claimed invention is directed to a laminated pad structure having, for example, two woven layers with an elastomeric layer there between and a binder yarn weaving between the layers. Spec. 5:9–12, 12:1–4, Fig. 10A. The Specification discloses the claimed laminated structure as a fabric structure, which conforms under pressure and springs back to substantially the original thickness after removal of the pressure, for use as a pad in, for example, sports shoes, running shoes, and boots. *Id.* at 1:10–13, 2:23–24, 7:19–23.

In contrast to the claimed invention, however, both Basse and Gaffney are in the field of netting and, as previously discussed above, directed to nets, netting structures and methods for manufacturing a net and net-like products. *See* Basse, Abstract, 2:47–51, 2:67–3:2; Gaffney 1, 11–12, 1:35–40, 1:45–48, 2:30–34.

We also find that neither Basse nor Gaffney is reasonably pertinent to the particular problem with which the inventors are involved. In particular, based on Basse's teachings regarding a net for use as a spacing net or protective net for highly finished surfaces (Basse 1:9–10) and Gaffney's teachings regarding the manufacture of co-extruded net and net-like products (Gaffney 1:11–21), we are not persuaded that either reference logically would have commended itself to an inventor's attention in considering the problem addressed by the claimed invention. The Examiner does not meaningfully address Appellant's arguments regarding the differences between Basse's and Gaffney's net and net-like products and the claimed

laminate structure in the form of a pad or fabric having woven layers with an elastomeric layer there between or provide a persuasive technical explanation for why one of ordinary skill in the art would have been led to Basse's and Gaffney's disclosures regarding netting in considering, for example, the problem of developing a shock-absorbing laminated pad structure for use in sport and running shoes.

Thus, on the record before us, we are not persuaded that Basse and Gaffney are analogous art.

We, therefore, do not sustain the Examiner's rejection of claim 1 as being anticipated by Basse or alternatively, the Examiner's determination that it would have been obvious to combine the teachings of Basse and Gaffney to arrive at the subject matter recited in the claim. Because claims 3–5, 9–12, 16–20, and 22–25 depend from claim 1, we also do not sustain the Examiner's rejection of these claims.

Accordingly, we reverse the Examiner's rejection of claims 1, 4, 5, 9–12, 16–20, and 23–25 under 35 U.S.C. § 102(b) and anticipated by Basse or, in the alternative, under 35 U.S.C. § 103(a) as obvious over the combination of Basse and Gaffney.

Rejections 2 and 3

The Examiner rejects claims 1, 4, 5, 9–12, 16–20, and 23–25 under § 103(a) as obvious over the combination of Basse and Wiegand (Ans. 6–8), which we refer to as Rejection 2, and the combination of Wiegand and Basse (Ans. 8–10), which we refer to as Rejection 3.

The foregoing deficiencies in the Examiner's findings and analysis regarding the Basse reference discussed above in reversing the Examiner's Rejection 1, including that Basse is non-analogous art, are not remedied by

the Examiner's findings regarding the additional Wiegand reference or the combination of Basse and Wiegand cited in support of the second and third grounds of rejection.

Accordingly, for principally the same reasons stated above for reversing Rejection 1, we reverse the Examiner's rejections of claims 1, 4, 5, 9–12, 16–20, and 23–25 under 35 U.S.C. § 103(a) as obvious over the combination of Basse and Wiegand, and the combination of Wiegand and Basse.

Rejection 4

The Examiner rejects claims 1, 3–5, 9–12, 16–20, and 22–25 under § 103(a) as obvious over the combination of Fontana '840 and Morman (Ans. 10–11), which we refer to as Rejection 4.

The Examiner determines that the combination of Fontana '840 and Morman suggests a pad satisfying all of the limitations of claim 1 and concludes the combination would have rendered the claim obvious. Ans. 10–11. Regarding the “laminated structure” recitation of claim 1, the Examiner relies on Morman for teaching or suggesting that element of the claim. *Id.* at 10. In particular, the Examiner finds Morman discloses that it is known in the elastic band art to form a laminated structure to provide a product that is pleasant to the touch and pleasant next to the skin for extended periods of time. *Id.* at 10 (citing Morman 1:10–23, 3:10–13).

Based on the above findings, the Examiner concludes

it would have been obvious to one having ordinary skill in the art . . . to form a laminated structure with the elastic fabric of Fontana, motivated by a desire to produce a product that is pleasant to the touch and/or pleasant next to the skin for extended periods of time.

Id. at 10.

Appellant argues that the Examiner’s rejection should be reversed because a person of ordinary skill in the art would not have combined Fontana ’840 and Morman based on the rationale provided by the Examiner. Appeal Br. 30–31; Reply Br. 3–4. Rather, Appellant contends a person of ordinary skill in the art would not have been motivated by Morman’s teaching to form a laminated structure using Fontana ’840’s elastic fabric to achieve a structure that is pleasant to the touch and/or next to the skin for extended periods of time because Fontana ’840’s woven structure already achieves that goal. Appeal Br. 30. *See* Fontana ’840 4:13–16, 4:20–21.

Appellant also contends

[t]he Examiner has not provided a sustainable or adequate reason that has any rational underpinning to validate why a person of ordinary skill in the art . . . would modify Fontana’s woven structure (with its already solved soft-to-skin touch) into a laminated structure with an already soft-to-skin touch.

Appeal Br. 31.

We agree with Appellant’s argument. On the record before us, we are not persuaded the Examiner provides reasoning or identifies persuasive evidence sufficient to establish one of ordinary of skill would have had reason to combine Fontana ’840 and Morman to arrive at the claimed invention. *See KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 418 (2007) (requiring “reasoning with some rational underpinning to support the legal conclusion of obviousness”) (quoting *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)).

In particular, principally for the reasons provided by Appellant at pages 30–31 of the Appeal Brief and pages 3–4 of the Reply Brief, we agree

with Appellant that because Fontana '840 discloses a structure, which already has “unique softness” for use in contact with the skin (Fontana '840 4:20–21; *see also id.* at 4:13–19 (disclosing “the use will gain the advantage of indifferently using either side of the fabric in contact with the skin”)), a person of ordinary skill in the art would not have been motivated to combine Fontana '840's teachings regarding a woven structure with Morman's teachings regarding a laminate structure based on the rationale and reasoning provided by the Examiner.

We, therefore, do not sustain the Examiner's rejection of claim 1 and determination that it would have been obvious to combine the teachings of Fontana '840 and Morman to arrive at the subject matter recited in the claim. Because claims 3–5, 9–12, 16–20, and 22–25 depend from claim 1, we also do not sustain the Examiner's rejection of these claims.

Accordingly, we reverse the Examiner's rejection of claims 1, 3–5, 9–12, 16–20, and 22–25 under 35 U.S.C. § 103(a) as obvious over the combination of Fontana '840 and Morman.

Rejection 5

The Examiner rejects claims 1, 3–5, 9–12, 16–20, and 22–25 under § 103(a) as obvious over the combination of Fontana '840 and Maglio (Ans. 12–13), which we refer to as Rejection 5.

The Examiner's findings regarding Maglio's disclosure are similar to the Examiner's findings regarding Morman's disclosure and the Examiner's analysis and reasoning for combining Fontana '840 with Maglio to arrive at the claimed invention rest principally on the same flawed findings and reasoning for combining Fontana '840 with Morman discussed above in reversing Rejection 4. *Compare* Ans. 12, *with* Ans. 10.

Accordingly, for principally the same reasons stated above for reversing Rejection 4, we reverse the Examiner's rejection of claims 1, 3–5, 9–12, 16–20, and 22–25 under § 103(a) as obvious over the combination of Fontana '840 and Maglio.

Rejection 6

The Examiner rejects claims 1, 3–5, 9–12, 16–20, and 22–25 under § 103(a) as obvious over the combination of Fontana '840 and Pufahl (Ans. 14–15), which we refer to as Rejection 6.

The Examiner determines that the combination of Fontana '840 and Pufahl suggests a pad satisfying all of the limitations of claim 1 and concludes the combination would have rendered the claim obvious. Ans. 14–15. Regarding the “laminated structure” recitation of claim 1, the Examiner relies on Pufahl for teaching or suggesting that element of the claim. *Id.* at 14. In particular, the Examiner finds Pufahl discloses that it is known in the elastic fabric art to form a laminated structure to produce a decorative quilt-like fabric. *Id.* at 14 (citing Pufahl 1:10–32, 1:62–2:13, 2:55–62).

Based on the above findings, the Examiner concludes

it would have been obvious to one having ordinary skill in the art . . . to form a laminated structure with the elastic fabric of Fontana, motivated by a desire to produce a decorative quilt-like fabric.

Id. at 14.

Appellant argues that the Examiner's rejection should be reversed because the Examiner does not provide reasoning or identify persuasive evidence in the record to support a finding that a person of ordinary skill would have had reason to combine the teachings of Fontana '840 and Pufahl

to arrive at the claimed invention. Appeal Br. 30; Reply Br. 3–4. In other words, Appellant contends the Examiner has not established a prima facie case because the Examiner failed to adequately explain why or establish by a preponderance of the evidence that one of ordinary skill in the art would have been motivated to combine the cited art to arrive at the claimed structure.

We agree with Appellant’s argument. Contrary to what the Examiner’s comments at pages 14–15 of the Answer imply, the mere fact that Pufahl discloses or suggests it was known in the art to form a laminated structure to produce a decorative quilt-like fabric, without more, does not adequately explain why one of ordinary skill in the art would have had reason to modify Fontana ’840’s woven structure. *See Belden Inc. v. Berk-Tek LLC*, 805 F.3d 1064, 1073 (Fed. Cir. 2015) (“[O]bviousness concerns whether a skilled artisan not only *could have made* but *would have been motivated to make* the combinations or modifications of prior art to arrive at the claimed invention.”) (emphasis in original).

The Examiner’s assertion that the “motivation to combine Fontana with Pufahl is to produce the product of Fontana with a desirable decorative (quilt-like) contour” (Ans. 30) is not persuasive because it is conclusory and, without more, insufficient to sustain the Examiner’s rejection. *Kahn*, 441 F.3d at 988 (holding “rejections on obviousness grounds cannot be sustained by mere conclusory statements”).

We, therefore, do not sustain the Examiner’s rejection of claim 1 and determination that it would have been obvious to combine the teachings of Fontana ’840 and Pufahl to arrive at the subject matter recited in the claim.

Because claims 3–5, 9–12, 16–20, and 22–25 depend from claim 1, we also do not sustain the Examiner’s rejection of these claims.

Accordingly, we reverse the Examiner’s rejection of claims 1, 3–5, 9–12, 16–20, and 22–25 under 35 U.S.C. § 103(a) as obvious over the combination of Fontana ’840 and Pufahl.

Rejections 7, 8, and 9

The Examiner rejects claims 1, 3–5, 9–12, 16–20, and 22–25 under § 103(a) as obvious over the combination of Fontana ’841 and Morman (Ans. 16–17), which we refer to as Rejection 7; the combination of Fontana ’841 and Maglio (Ans. 18–19), which we refer to as Rejection 8; and the combination of Fontana ’841 and Pufahl (Ans. 20–21), which we refer to as Rejection 9.

Because each of the Examiner’s Rejections 7, 8, and 9 are based on Fontana ’841 in combination with Morman, Maglio, and Pufahl, respectively, and Fontana ’841’s disclosure is similar to Fontana ’840’s disclosure (*compare* Fontana ’841, Fig. 1, 1:66–2:12, *with* Fontana ’840, Fig. 1, 2:14–32), and the Examiner’s analyses for each of Rejections 7, 8, and 9 rest principally on the same flawed findings and conclusions as Rejections 4, 5, and 6, respectively, we also reverse Rejections 7, 8, and 9 for principally the same reasons discussed above for reversing Rejections 4, 5, and 6, respectively.

CONCLUSION

In summary:

Claim(s) Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1, 4, 5, 9–12, 16–20, 23–25	102(b)	Basse		1, 4, 5, 9–12, 16–20, 23–25
1, 4, 5, 9–12, 16–20, 23–25	103(a)	Basse, Gaffney		1, 4, 5, 9–12, 16–20, 23–25
1, 4, 5, 9–12, 16–20, 23–25	103(a)	Basse, Wiegand		1, 4, 5, 9–12, 16–20, 23–25
1, 3–5, 9–12, 16–20, 22–25	103(a)	Wiegand, Basse		1, 3–5, 9–12, 16–20, 22–25
1, 3–5, 9–12, 16–20, 22–25	103(a)	Fontana '840, Morman		1, 3–5, 9–12, 16–20, 22–25
1, 3–5, 9–12, 16–20, 22–25	103(a)	Fontana '840, Maglio		1, 3–5, 9–12, 16–20, 22–25
1, 3–5, 9–12, 16–20, 22–25	103(a)	Fontana '840, Pufahl		1, 3–5, 9–12, 16–20, 22–25
1, 3–5, 9–12, 16–20, 22–25	103(a)	Fontana '841, Morman		1, 3–5, 9–12, 16–20, 22–25
1, 3–5, 9–12, 16–20, 22–25	103(a)	Fontana '841, Maglio		1, 3–5, 9–12, 16–20, 22–25
1, 3–5, 9–12, 16–20, 22–25	103(a)	Fontana '841, Pufahl		1, 3–5, 9–12, 16–20, 22–25
Overall Outcome				1, 3–5, 9–12, 16–20, 22–25

REVERSED



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Appeal No: 2019-001796
Application: 12/345,215
Appellant: Robert A. Hansen et al.

Patent Trial and Appeal Board Docketing Notice

Application 12/345,215 was received from the Technology Center at the Board on January 02, 2019 and has been assigned Appeal No: 2019-001796.

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By order of the Patent Trial and Appeal Board.

RMM