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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROGER STEWART

Appeal 2010-007689
Application 11/759,806
Technology Center 2600

Before JOSEPH F. RUGGIERO, CAROLYN D. THOMAS, and
JEFFREY S. SMITH, *Administrative Patent Judges*.

SMITH, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-6, 12, 13, 21, and 22. Claims 7-11 have been withdrawn and claims 14-20 have been canceled. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Representative Claim

1. A current-driven display, comprising:
a circuit producing a variable average output current during a frame period in response to a variable average input current received during a line period, wherein a ratio of high and low values of the average output current is different than a ratio of high and low values of the average input current.

Prior Art

Awakura	US 2005/0068270 A1	Mar. 31, 2005
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Examiner's Rejections

Claims 1-3 and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Awakura.

Claims 4-6, 12, 13, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Awakura.

ANALYSIS

Section 102 rejection of claim 1

Appellant contends that Awakura does not describe "a circuit producing a variable average output current during a frame period in response to a variable average input current received during a line period" as

recited in claim 1. App. Br. 11-12; Reply Br. 3-4. The Examiner finds that Awakura describes that the output display luminance is lower than an input level when a frame is high. The Examiner further finds that Awakura describes using the average luminance of a portion of the screen, such as a line. Ans. 12. We agree with the Examiner for the reasons given by the Examiner in the Examiner's Answer and Final Rejection.

Appellant contends that Awakura does not describe "a ratio of high and low values of the average output current is different than a ratio of high and low values of the average input current" as recited in claim 1. App. Br. 13; Reply Br. 4-8. The Examiner finds that Fig. 4 of Awakura describes the claimed ratios. Ans. 12-13. We agree with the Examiner for the reasons given by the Examiner in the Examiner's Answer and Final Rejection.

We sustain the rejection of claim 1 under 35 U.S.C. § 102.

Section 102 rejection of claim 2

Appellant contends that Awakura does not describe a light emitting diode. App. Br. 13-14. The Examiner finds that Awakura describes a light emitting diode. Ans. 14. We agree with the Examiner for the reasons given by the Examiner in the Examiner's Answer and Final Rejection.

We sustain the rejection of claim 2 under 35 U.S.C. § 102.

Section 102 rejection of claim 3

Appellant contends that Awakura does not describe "the ratio of high and low values of the average output current is substantially greater than a ratio of high and low values of the average input current." App. Br. 14-15. The Examiner finds that Awakura describes the claimed ratios. Ans. 14.

We agree with the Examiner for the reasons given by the Examiner in the Examiner's Answer and Final Rejection.

We sustain the rejection of claim 3 under 35 U.S.C. § 102.

Section 102 rejection of claim 21

Appellant contends that Awakura does not describe a ratio of high and low values of the average output current is different than a ratio of high and low values of the average input current, "wherein the ratios are not substantially proportional to each other" as recited in claim 21. App. Br. 16; Reply Br. 8-9. The Examiner finds that Awakura describes the claimed ratios. Ans. 14. We agree with the Examiner for the reasons given by the Examiner in the Examiner's Answer and Final Rejection.

We sustain the rejection of claim 21 under 35 U.S.C. § 102.

Section 103 rejection of claims 4 and 22

Appellant contends that Awakura does not teach "wherein the ratio of high and low values of the average output current is at least 10 times greater than the ratio of high and low values of the average input current" as recited in claim 4. App. Br. 16-22; Reply Br. 10-15. The Examiner finds that Awakura teaches the claimed ratios. Ans. 14-16. We agree with the Examiner for the reasons given by the Examiner in the Examiner's Answer and Final Rejection.

We sustain the rejection of claims 4 and 22 under 35 U.S.C. § 103.

Section 103 rejection of claim 5

Appellant contends that Awakura does not teach the operations performed during the select line period, deselect line period, and illumination period recited in claim 5. Appellant also contends that Awakura does not teach storing voltages without producing light during the deselect line period. Appellant further contends that Awakura teaches away from storing voltages in the pixels without producing light, that modifying Awakura to do so would change the principle of operation and render the prior art unsatisfactory for its intended purpose, and that the Examiner improperly relies on common knowledge. App. Br. 22-25; Reply Br. 15-20. The Examiner finds that Awakura teaches the limitations of claim 5. Ans. 16-18. We agree with the Examiner for the reasons given in the Examiner's Answer and Final Rejection.

We sustain the rejection of claim 5 under 35 U.S.C. § 103.

Section 103 rejection of claim 6

Appellant contends that Awakura does not teach the operations performed during the select line period, the deselect line period, and the illumination period recited in claim 6, and that the Examiner improperly relies on common knowledge. App. Br. 25-26; Reply Br. 20-23. The Examiner finds that Awakura teaches the limitations of claim 6. Ans. 18-19. We agree with the Examiner for the reasons given in the Examiner's Answer and Final Rejection.

We sustain the rejection of claim 6 under 35 U.S.C. § 103.

Section 103 rejection of claims 12-13

Appellant contends that Awakura does not teach the operations performed during the select line period, frame period, and illumination period recited in claim 12. Appellant also contends that the Examiner improperly relies on common knowledge. App. Br. 27-30; Reply Br. 23-27. The Examiner finds that Awakura teaches the limitations of claims 12 and 13. Ans. 19. We agree with the Examiner for the reasons given in the Examiner's Answer and the Final Rejection.

We sustain the rejection of claims 12 and 13 under 35 U.S.C. § 103.

DECISION

The rejection of claims 1-3 and 21 under 35 U.S.C. § 102(b) as being anticipated by Awakura is affirmed.

The rejection of claims 4-6, 12, 13, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Awakura is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

AFFIRMED