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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte YASUO MUTSURO, HIROKI MIZOSOE,
NAOYUKI URATA, NOBUYUKI SATO,
SHIRO KOFUJI, and JUNICHI SATOH

Appeal 2011-000226
Application 11/369,982
Technology Center 2600

Before MAHSHID D. SAADAT, JASON V. MORGAN, and
JOHNNY A. KUMAR, *Administrative Patent Judges*.

KUMAR, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ An oral hearing for this appeal was held January 17, 2013.

STATEMENT OF CASE

Introduction

The Appellants seek review under 35 U.S.C. § 134(a) of a final rejection of claims 1-22. We have jurisdiction over the appeal pursuant to 35 U.S.C. § 6(b).

We AFFIRM.

Invention

Appellants invented a printing control system that includes a drawing unit, a block data generating unit and a controlling unit. *See* Abstract.

An understanding of the invention can be derived from a reading of exemplary claims 1 and 11, which are reproduced below:

1. A printing control system comprising:

a drawing unit that sets a drawing region in which a region of an original image falls, and draws the original image in the drawing region so that a center of the region of the original image is in coincidence with a center of the drawing region;

a block data generating unit that divides the drawing region into a plurality of blocks, each block having a size shape identical to one another, and generates block data representative of the plurality of blocks; and

a controlling unit having an image processing unit that performs an image processing on a block data basis to generate print data, the image processing including a rotating processing for rotating each block.

11. The printing control system according to claim 1, wherein the block data generating unit compresses the block data to generate compressed block data, organizes the plurality

of compressed block data to generate macro block data, and compresses the macro block data to generate compressed macro block data,

wherein the controlling unit decompresses the compressed macro block data to generate the decompressed data.

Rejections on Appeal

The Examiner rejected claims 1-10 and 12-21 under 35 U.S.C. § 103(a) as unpatentable over Watanabe (US 5,815,283, Sep. 29, 1998) in view of Ishida (US 7,379,198 B1, May 27, 2008). Ans. 4-11.

The Examiner rejected claims 11 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of Ishida, further in view of Clouthier (US 6,778,291 B1, Aug. 17, 2004). Ans. 11-12.

Appellants' Contentions

1. Appellants contend that the combination of Ishida and Watanabe does not teach or suggest that “the original image is drawn over a plurality of blocks.” Reply Br. 5-7.
2. Appellants also contend that Watanabe does not teach rotating processing for rotating each block. Reply Br. 6-7.
3. Appellants also contend that the “‘two-pass’ compression described in ...Clouthier has *nothing* to do with generating macro block data from compressed block data.” App. Br. 46. The Appellants also argue that there is nothing in any “reference of record which suggests ... a plurality of compressed block data to generate macro block data.” Reply Br. 12.

Issues on Appeal

1. Did the Examiner err in finding that the combination of Ishida and Watanabe teaches or suggests “a drawing unit that ...draws the original image in the drawing region” and “a rotating processing for rotating each block,” as recited in claim 1?

2. Did the Examiner err in finding that Watanabe, Ishida, and Clouthier teach or suggest “the block data generating unit compresses the block data to generate compressed block data, organizes the plurality of compressed block data to generate macro block data, and compresses the macro block data to generate compressed macro block data,” as recited in claim 11?

ANALYSIS

We have reviewed the Examiner’s rejections in light of Appellants’ contentions that the Examiner has erred.

We disagree with Appellants’ conclusions. We adopt as our own (1) the findings and reasons set forth by the Examiner in the action from which this appeal is taken and (2) the reasons set forth by the Examiner in the Examiner’s Answer in response to Appellants’ Appeal Brief. We concur with the conclusion reached by the Examiner. We highlight and address specific arguments for emphasis as follows.²

² Although Appellants nominally argue the rejection of dependent claims 2-10 and 12-21 separately (App. Br. 33-44), the arguments presented do not point out with particularity or explain why the limitations of these dependent claims are separately patentable. Consequently, dependent claims 2-10 and 12-21 fall with their corresponding base claims. *See* 37 C.F.R. § 41.37(c)(1)(vii) (2009).

As to Appellants' argument that Watanabe and Ishida are "unrelated references" (App. Br. 32), the Examiner correctly points out that both Watanabe and Ishida relate to improvements in printing systems (Ans. 16). Appellants have not presented any specific reason in their arguments that these references are not related art.

As to Appellants' above contention 1, Appellants' argument is unpersuasive because it is not commensurate with the scope of claim 1. Claim 1 recites drawing "the original image in the drawing region" but does not require the original image to be drawn in the "entire" drawing region, and thus does not preclude the original image to be drawn in a "partial" region of the page.

We are also not persuaded by Appellants' argument in the Reply Brief (page 5) that in claim 1 "an original image is *first* drawn in the drawing region and *then* the drawing region is divided into a plurality of blocks." Claim 1 does not require a specific sequence or any particular relationship between the drawing region and the blocks of data.

As to contention 2, we disagree with Appellants' arguments. Appellants have not provided an explicit definition of "rotating processing" in their Specification. Appellants' Specification indicates that "the page is rotated 90 degrees" (Spec. page 14, ll. 2-4), and the "block position data is listed in a sequence for scanning data in order that image processing can be performed based on the block layout after page rotation (Spec. page 14, ll. 7-10). Thus, according to Appellants' Specification, the rotation processing is with respect to the page being rotated, not each block. In other words, the rotation of each block is a result of rotating the page. Although this disclosure is not limiting to the claimed invention, it provides context for

which the term “rotation processing” is interpreted. Thus, we interpret the claim language “rotation processing” using the broadest reasonable interpretation consistent with Appellants’ disclosure – to include Watanabe’s rotation processing teaching. Ans. 5, 15. *See In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997). Watanabe discloses (col. 6, ll. 55-67) a rotation circuit 212 that “rotates the binary image data 90 degrees.” In addition, we agree with the Examiner (Ans. 15) that Watanabe’s rotation circuit 212 (Fig. 3) corresponds to the “rotation processing” function recited in claim 1. Ans. 5.

As to Appellants’ above contention 3, we begin our analysis by observing that Appellants respond to the Examiner’s final rejection of claim 11 by merely reciting the language identified *supra* in claim 11 and asserting that the aforementioned limitations are not disclosed in Clouthier. (*See App. Br. 46*). Appellants do not point to the differences between the subject matter of claim 11 and the combined teachings of Watanabe, Ishida, and Clouthier. In addition, we find that Clouthier explicitly discloses decomposing a page into sections and segments such that each section is compressed using the technique that is best suited for its data type, where the segments of a page may be blocks or areas anywhere on a page (col. 5, ll. 17-24). Thus, we find that the block data is part of the segment that would be compressed to generate a macro block.

On this record, we find the Examiner has not erred in rejecting the claims and finding the aforementioned disputed limitations in contentions 1, 2 and 3 are taught or suggested by the proposed combination.

CONCLUSIONS

1. The Examiner did not err in rejecting claims 1-10 and 12-21 under 35 U.S.C. § 103(a) as unpatentable over Watanabe and Ishida.
2. The Examiner did not err in rejecting claims 11 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Watanabe, Ishida, and Clouthier.
3. Claims 1-22 are not patentable.

DECISION

The Examiner's rejection of claims 1-22 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)(1)(iv) (2011).

AFFIRMED

msc