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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/622,237	09/18/2012	Richard John Hale	WYNP106US	1023
24041	7590	11/30/2016	EXAMINER	
SIMPSON & SIMPSON, PLLC 5555 MAIN STREET WILLIAMSVILLE, NY 14221-5406			FERGUSON, MICHAEL P	
			ART UNIT	PAPER NUMBER
			3679	
			NOTIFICATION DATE	DELIVERY MODE
			11/30/2016	ELECTRONIC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RICHARD JOHN HALE

Appeal 2015-000979
Application 13/622,237
Technology Center 3600

Before EDWARD A. BROWN, GEORGE R. HOSKINS, and
BRANDON J. WARNER, *Administrative Patent Judges*.

BROWN, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Richard John Hale (Appellant)¹ appeals under 35 U.S.C. § 134(a) from the Examiner's decision rejecting claims 1–3 and 6.² We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

¹ Seminar Components (UK) Limited is identified as the real party in interest. Br. 3.

² Claims 4 and 5 have been cancelled. Br. 5.

CLAIMED SUBJECT MATTER

Claim 1, reproduced below, is representative of the claimed subject matter.

1. A connector assembly, comprising:
a tang adapted to be secured to a first element; and
a correspondingly shaped channeled bracket adapted to be secured to a second element, the tang being linearly tapered bluntly inwardly at a leading end, being substantially parallel in a mid portion, and being linearly tapered bluntly outwardly at a remote end opposite from the leading end, wherein the leading end of the tang is adapted to be received initially within an outwardly linearly tapering lower end shoulder portion of the channeled bracket, which thereafter guides the tang into the channeled bracket up to a limit imposed by the remote end of the tang as the tang is received within the correspondingly shaped part of the channeled bracket.

Br. 24 (Claims App.).

REJECTION

Claims 1–3 and 6 are rejected under 35 U.S.C. § 103(a) as unpatentable over *Wilhelmi* (US 4,266,882, issued May 12, 1981) and *Harrer* (EP 1602838 A2, published Dec. 7, 2005).

ANALYSIS

Appellant argues the patentability of claims 1–3 and 6 as a group. Br. 11–22. We select claim 1 as representative to decide the appeal, and claims 2, 3, and 6 stand or fall with claim 1. *See* 37 C.F.R. § 41.37(c)(1)(iv).

Claim 1 calls for a tang “*linearly tapered bluntly outwardly* at a remote end opposite from the leading end.” Br. 24 (Claims App., emphasis added). The Examiner finds that *Wilhelmi* discloses a connector assembly comprising tang 24 “tapered bluntly outwardly at a remote end **A** opposite from the leading end [26].” Final Act. 2; *see also id.* at 3 (annotated portion

of Figure 7 of Wilhelmi identifying remote end **A**). The Examiner explains that the curved-shape of remote end **A** constitutes a blunt tapered portion, but determines Wilhelmi does not disclose that outwardly tapered remote end **A** is linearly tapered. *Id.* The Examiner finds that Harrer discloses a connector assembly comprising tang 11 “linearly tapered bluntly outwardly at a remote end **13** opposite from a leading end **15**.” *Id.* at 3; *see* Harrer, Figs. 6–8.

The Examiner determines that it would have been obvious to modify Wilhelmi to make outwardly tapered remote end **A** of tang 24 linearly tapered, as taught by Harrer (Final Act. 3), “to correspondingly mate with the outwardly . . . tapering lower end shoulder portion of the channeled bracket” (Ans. 6). The Examiner reasons that such a modification of Wilhelmi would “provide for more secure seating of the tapered remote end of the tang against the tapering end shoulder portion of the channeled bracket, providing for a more rigid, secure connection,” and would “prevent[] twisting or relative movement between the tang and the bracket in a secured position.” Final Act. 3–4; Ans. 6–7.

Appellant contends that the teachings of Wilhelmi and Harrer cannot be combined to prevent relative twisting movement between the tang and bracket when secured. Appeal Br. 16–17. According to Appellant, the shape of Wilhelmi’s bracket would have to be altered to correspond to the shape of element 26, and to the shape of Harrer’s element 13, to prevent such relative twisting. *Id.* at 17–18. The Examiner responds that Harrer is not relied upon to teach bodily incorporation of element 13 in Wilhelmi, but only to teach making the outwardly tapered remote end of Wilhelmi’s tang

linearly tapered to mate with the linearly tapering lower end shoulder portion of its channeled bracket. Ans. 9.

Appellant also contends that the dovetail shape of Harrer's element 13 is tapered in two planes, and one skilled in the art would not have modified Wilhelmi's tang with this taper. Br. 19–20. Appellant argues Harrer does not disclose that the tapered portion of the spring block is included for preventing twisting or relative movement between the tang and bracket when in the secured position. *Id.* at 20. The Examiner responds that Appellant acknowledges that Harrer teaches that tapered part 13 provides a more secure connection of the parts of the connector and prevents a significant range of motion. Ans. 7. The Examiner also determines that Harrer would provide for prevention of relative movement between the tang and bracket when in the secured position in the combination. *Id.*

Figure 7 of Wilhelmi shows nose portion 24 projecting from leading edge 18 of base portion 12, and a curved transition region between leading edge 18 and the outside surface of nose portion 24 that is generally straight and perpendicular to leading edge 18. *See also* Wilhelmi, col. 4, ll. 21–22. Figure 7 shows that outward bevel 58 of female member 40 is linear. Wilhelmi does not, however, appear to disclose that the shape of the transition region is limited to a curved shape as depicted in Figure 7. We note Figure 8 of Wilhelmi appears to show correspondence between the transition region of base portion 12 and outward bevel 58, which is outwardly linearly tapering, when nose portion 24 is engaged with female member 40. Harrer teaches the use of shape correspondence between linear tapered end surfaces in a connector assembly, evidencing that such shape correspondence of tapered surfaces was known in the art.

Appellant's contentions regarding the Examiner's combination of teachings of Wilhelmi and Harrer focus substantially on only a portion of the Examiner's rationale. That is, the Examiner reasons that it would have been obvious to modify Wilhelmi's remote end to be "linearly tapered bluntly outwardly" to "provide for more secure seating of the tapered remote end of the tang against the tapering end shoulder portion of the channeled bracket, providing for a more rigid, secure connection." Final Act. 3-4; Ans. 6-7. By matching the shapes of the transition region of base portion 12 and outward bevel 58 in Wilhelmi, the outwardly tapered remote end of Wilhelmi's tang would be linearly tapered so as to correspond with the outward linearly tapering lower end shoulder portion of the channeled bracket at outward bevel 58. Claim 1 does not require that elements 26a, 26b of Wilhelmi abut the bracket when the tang and bracket are secured. Appellant's contentions do not apprise us of any error in the Examiner's reasoning that the proposed modification of the outwardly tapered remote end of Wilhelmi would provide for more secure seating of the tapered remote end of Wilhelmi's tang against the tapering end shoulder portion of the channeled bracket at outward bevel 58.

Accordingly, we sustain the rejection of claim 1, and claims 2, 3, and 6, which fall with claim 1, as unpatentable over Wilhelmi and Harrer.

DECISION

We affirm the Examiner's decision to reject claims 1-3 and 6.

No time period for taking any subsequent action in connection with this appeal may be extended according to 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED