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EXAMINER

HALIYUR, PADMA

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte KARTAVYA MOHAN GUPTA, LALITHA M. ESWARA,
GOWRISANKAR M R, and CHARLES CAMERON BRACKETT

Appeal 2015-003598
Application 13/396,303
Technology Center 2600

Before MAHSHID D. SAADAT, JOHN P. PINKERTON, and
MELISSA A. HAAPALA, *Administrative Patent Judges*.

HAAPALA, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from a final rejection of claims 1–24. We have jurisdiction under 35 U.S.C. § 6(b). We reverse.

We have reviewed Appellants' contentions in the Briefs, the Examiner's rejection, the Examiner's response to Appellants' contentions, and the evidence of record. We agree with Appellants' contention that the Examiner errs in finding Awazu (US 2009/0073275 A1; Mar. 19, 2009) discloses *the light source and housing configured to project a lighted*

boundary onto a surface, the boundary defining a region of image capture by a camera of a device on which the housing is mounted (“lighted boundary” limitation), as recited in independent claim 1.¹

The Examiner finds the term “lighted boundary” is broad and not defined in the claims. Ans. 12. Thus, the Examiner finds Awazu’s targeted area of the flash projection, which projects a lighted boundary on the object, discloses the recited “lighted boundary” limitation. Ans. 12–13 (citing Awazu ¶¶ 7, 56, 69).

Appellants point out that claim 1 expressly defines the lighted boundary as “defining a region of image capture by a camera of a device on which the housing is mounted.” App. Br. 4; Reply Br. 4. We agree. We further agree with Appellants that the Examiner has not identified any teachings in Awazu as disclosing a lighted boundary, as explicitly defined in the claim. *See* App. Br. 4–5; Reply Br. 3–4. The cited sections of Awazu describe face peripheral area A2 as a targeted area of a flash, and that when shutter button 18 is fully pressed, a flash projection command selectively illuminates LEDs corresponding to the face peripheral area. *See* Awazu ¶¶ 56, 69. Although the targeted flash area may define a boundary, the Examiner has not established that Awazu explicitly or inherently discloses that the flash area is co-extensive with, or otherwise defines, a region of image capture by the camera.

For the reasons discussed above, Appellants’ contentions persuade us the Examiner has not established Awazu discloses the “lighted boundary”

¹ Appellants present additional contentions, which we do not reach because the identified issue is dispositive of the appeal.

limitation recited in claim 1. Accordingly, we do not sustain the 35 U.S.C. § 102(b) rejection of: (1) claim 1; (2) independent claim 17, which recites a limitation substantially similar to the “lighted boundary” limitation; and (3) claims 2–4, 6–8, 11–13, 15, 16, and 18–24, which depend from claim 1 or claim 17.

The Examiner does not rely on the additional references of record to teach or suggest the “lighted boundary” limitation. *See* Final Act. 11–15. Accordingly, we do not sustain the 35 U.S.C. § 103(a) rejections of claims 5, 9, 10, and 14.

DECISION

We reverse the Examiner’s decision to reject claims 1–24.

REVERSED