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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/274,327	05/09/2014	Kunihiko TSUJIMOTO	1248-1293PUS2	5686
127226	7590	10/27/2016	EXAMINER	
Birch, Stewart, Kolasch & Birch, LLP			YANG, QIAN	
P.O. Box 747			ART UNIT	
Falls Church, VA 22040-0747			PAPER NUMBER	
			2674	
			NOTIFICATION DATE	
			DELIVERY MODE	
			10/27/2016	
			ELECTRONIC	

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte KUNIHICO TSUJIMOTO and SHARP KABUSHIKI KAISHA

Appeal 2016-000220
Application 14/274,327
Technology Center 2600

Before STEPHEN C. SIU, JOHN D. HAMANN, and
JOYCE CRAIG, *Administrative Patent Judges*.

SIU, *Administrative Patent Judge*

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1 and 3–12. We have jurisdiction under 35 U.S.C. § 6(b).

The disclosed invention relates generally to a multifunction peripheral control system. Spec. 1:16–17. Independent claim 3 reads as follows:

3. A multifunction peripheral control system comprising:
 - a server that executes an application program; and
 - a multifunction peripheral that is communicably connected to the server over a communications network and that executes a process according to an instruction by the application program,

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the multifunction peripheral including:
a display section that displays an information display screen which allows a user to input an instruction to the application program;
a storage section that stores information display screen setting data including default conditions for preparing said information display screen;
an information display screen preparation section that prepares said information display screen on a basis of the information display screen setting data; and
an image forming section that executes an image forming process for forming, on a recording material, an image corresponding to second image data,
said information display screen being a preview screen for, before the image forming process is executed, presenting a user with the image corresponding to the second image data,
the server transmitting an instruction to the multifunction peripheral in order to change at least one of the default conditions included in the information display screen setting data,
the information display screen preparation section, when causing the display section to display said information display screen, causing the display section to display, as the preview screen, said information display screen prepared by combining, with the second image data, first image data which is image data of a display screen prepared by changing, in accordance with the instruction transmitted from the server, at least one of the default conditions included in the information display screen setting data.

The Examiner rejects claims 1, 3, 5, 7-9, 11, and 12 under 35 U.S.C. § 103(a) as unpatentable over Uchida et al. (US 2009/0310180 A1, pub. Dec. 17, 2009) and Maeda (US 2011/0157636 A1, pub. June 30, 2011) and

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claims 4, 6, and 10 under 35 U.S.C. § 103(a) as unpatentable over Uchida, Maeda, and Mitsunari (US 2007/025808, pub. Feb. 1, 2007).

ISSUE

Did the Examiner err in rejecting claims 1 and 3–12?

ANALYSIS

Appellants argue that Uchida fails to disclose a “preview screen” that “is prepared by combining first image data and second image data, where it is the first image data that is prepared by changing, in accordance with the instruction transmitted from the server, a default condition(s), as required in” claim 3. App. Br. 11.

As the Examiner indicates, Uchida discloses a MFP (Multi-Function Peripheral) and a private PC (or server). Uchida ¶¶ 5, 32, 56. The MFP includes “a storage unit 119 . . . which stores image data . . .” and also “collects . . . setting information . . . [from the PC and] generates a display content in the operation/display unit . . . based on the acquired setting information” such that a “dynamic screen customizing function” is performed, which is “a function of reflecting the settings in the . . . PC to the settings in the MFP.” Uchida ¶¶ 36, 47, 62. Uchida further discloses that the “MFP changes the settings for the operation panel in the MFP . . . based on the setting information acquired [from the PC].” Uchida ¶ 65. In other words, Uchida discloses a “preview screen” (image corresponding to the

operation panel in the MFP) that is prepared by combining second image data (i.e., settings data for the operation panel in the MFP) and first image data (i.e., settings data of a display screen modified by setting information acquired from the PC) where the first image data (i.e., image data of a display screen modified by settings data acquired from the PC) is prepared by changing (i.e., MFP changes the settings data corresponding to the second image data based on settings data acquired from the PC), in accordance with the instruction transmitted from the server (i.e., settings data acquired by the MFP from the PC), as required in claim 3.

Appellants argue that Uchida fails to disclose or suggest “combining first image data with second image data” (App. Br. 11) but do not adequately explain a difference between changing MFP settings data by incorporating settings data acquired from the PC into the MFP settings data to acquire one set of modified image data of a display screen of Uchida and the claim feature of “combining” data. Appellants further argue that “Maeda does not make up for deficiencies in Uchida.” App. Br. 11. Appellants, however, do not sufficiently demonstrate a specific deficiency of Uchida.

Therefore, we are not persuaded of error in the Examiner’s rejection of claim 3.

Regarding claim 12, Appellants argue that Uchida and Maeda fail to teach or suggest “‘simultaneously’ executing an image data obtaining process for obtaining the second image data (allegedly taught in Maeda) and preparing first image data (allegedly taught in Uchida).” App. Br. 13. We are not persuaded by Appellants’ argument.

As previously described, Uchida discloses obtaining second image data (i.e., data acquired from the PC) and first image data (i.e., settings in the MFP). An artisan of ordinary skill would have understood that there are a finite number of possibilities in obtaining second data and obtaining (or preparing) first data. One of ordinary skill in the art, not being an automaton, would have understood that second data and first data may be obtained or prepared simultaneously or not simultaneously (two known finite possibilities). Performing the known steps of obtaining or preparing different data simultaneously would have been obvious to one of ordinary skill in the art at least because doing so would have resulted in no more than the predictable result of obtaining or preparing desired data in a known fashion and would be well within the purview of one of skill in the art to select between one of two known possibilities. Such a predictable result would have been obvious to one of ordinary skill in the art. “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.” *KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398, 416 (2007).

For these reasons, the Examiner did not err in rejecting claim 12.

Appellants do not provide additional arguments with respect to the other claims on appeal.

SUMMARY

We affirm the Examiner’s rejection of claims 1, 3, 5, 7–9, 11, and 12 under 35 U.S.C. § 103(a) as unpatentable over Uchida and Maeda and

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claims 4, 6, and 10 under 35 U.S.C. § 103(a) as unpatentable over Uchida, Maeda, and Mitsunari.

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).

AFFIRMED