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Cantor Colburn LLP - Carrier 20 Church Street, 22nd Floor Hartford, CT 06103			BARRY, DAPHNE MARIE	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte HANS-JOACHIM HUFF, JASON SCARCELLA,
LUCY YI LIU, SURESH DURAISAMY,
ZVONKO ASPROVSKI, MARK S. ROGERS, and
GILBERT B. HOFSDAL

Appeal 2016-004219
Application 13/390,377
Technology Center 3700

Before LYNNE H. BROWNE, ANNETTE R. REIMERS, and
BRENT M. DOUGAL, *Administrative Patent Judges*.

BROWNE, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Hans-Joachin Huff et al. (Appellants) appeal under 35 U.S.C. § 134 from the rejection of claims 1–4, 6, 7, and 9 under 35 U.S.C. § 102(b) as anticipated by Schneider (US 4,168,723, iss. Sept. 25, 1979). We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

CLAIMED SUBJECT MATTER

The claims are directed to an apparatus to indicate when a pressure relief valve has been activated. Spec. 8. Sole independent claim 1, reproduced below, is illustrative of the claimed subject matter:

1. A pressure relief valve activation indicator comprising:
a covering disposed about an exterior surface of a pressure relief valve, the covering disposed about the exterior surface of the pressure relief valve over at least a portion of a pressure relief valve outlet passage, the outlet passage extending from an interior of the pressure relief valve to the exterior surface of the pressure relief valve, the covering located over at least a portion of the pressure relief valve outlet passage when the pressure relief valve is in an inactivated state, the entire covering displaceable by refrigerant flowing out said outlet passage so as to indicate said refrigerant has flowed out said outlet passage when said covering is displaced, the entire covering being blown off from and completely separated from the pressure relief valve in response to refrigerant flowing out said outlet passage when pressure in the pressure relief valve reaches or exceeds a predetermined level of pressure, the pressure relief valve resealing when pressure in the pressure relief valve is below the predetermined level of pressure.

DISCUSSION

Appellants argue all of the claims together. *See* Appeal Br. 3–5. We select claim 1 as the representative claim, and claims 2–4, 6, 7, and 9 stand or fall with claim 1. *See* 37 C.F.R. § 41.37(c)(1)(iv).

The Examiner finds that Schneider discloses each and every limitation of claim 1. Final Act. 3–4. In particular, the Examiner finds that Schneider discloses “a covering (18) disposed about an exterior surface (outside surface of retainer 16 and outside surface of valve body 12) of a pressure relief valve (10).” *Id.* at 3. The Examiner further finds that:

when covering (18) is displaced, the entire covering (18) [is] blown off from and completely separated from the pressure relief valve (10) in response to fluid flowing out said outlet passage (openings in retainer 16) when pressure in the pressure relief valve (10) reaches or exceeds a predetermined level of pressure.

Id. at 3–4 (citing Schneider Fig. 2, 2:18–28).

Appellants contend that “[i]n Schneider, the cap 18 is not ‘blown off from and completely separated from the pressure relief valve’ as recited in claim 1. Cap 18 remains in physical contact with the valve body 12 after a pressure release event.” Appeal Br. 4. In support of this contention, Appellants reproduce Schneider’s Figures 1 and 3. *See id.*

Responding to this argument, the Examiner notes that Schneider’s “Figure 3 depicts the valve (10) after the pressure is released and the valve (10) is brought back to a closed position,” whereas Schneider’s Figure 2 illustrates the valve with the covering blown off. Ans. 6.

Schneider describes its Figure 2 as “illustrating the position of the movable parts during pressure relief operation” and Figure 3 as “illustrating the position of the movable parts after completion of a pressure relief operation.” Schneider 1:34–38. Thus, the Examiner is correct, and Appellants do not apprise us of error.

Accordingly, we sustain the Examiner’s decision rejecting claim 1, and claims 2–4, 6, 7, and 9, which fall therewith.

DECISION

The Examiner’s rejection of claims 1–4, 6, 7, and 9 is AFFIRMED.

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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. § 1.136(a)(1)(iv).

AFFIRMED