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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ERIKO IKEHATA

Appeal 2017-008958
Application 13/320,316
Technology Center 3600

Before HUBERT C. LORIN, ANTON W. FETTING, and
CYNTHIA L. MURPHY, *Administrative Patent Judges*.

MURPHY, *Administrative Patent Judge*.

DECISION ON APPEAL

The Appellant¹ appeals under 35 U.S.C. § 134 from the Examiner's rejection of claims 1–6. We have jurisdiction over this appeal under 35 U.S.C. § 6(b).

We AFFIRM.

¹ “The real party in interest is YAZAKI CORPORATION.” (Appeal Br. 2.)

STATEMENT OF THE CASE

The Appellant's invention "relates to a bracket structure in an electrical junction box." (Spec. 1, ll. 6–7.)

Sole Independent Claim on Appeal

1. A bracket structure in an electrical junction box, comprising:
 - a junction box body having a lower cover and an upper cover configured to be engaged with each other, the lower cover having a first wide-width surface and the upper cover having a second wide-width surface;
 - a first bracket affixed to the first wide-width surface of the lower cover of the junction box body; and
 - a second bracket affixed to the second wide-width surface of the upper cover of the junction box body, the second wide-width surface being opposed to the first wide-width surface, the first bracket and the second bracket being brought into a direct fitting engagement with each other upon attaching the first bracket to the first wide-width surface and attaching the second bracket to the second wide-width surface of the junction box body,
 - wherein the first bracket includes a plate-shaped portion configured to be directly contacting with the first wide-width surface of the junction box body, and a first fitting-engagement portion protruding from one end of said plate-shaped portion of the first bracket,
 - wherein the second bracket includes a plate-shaped portion configured to be directly contacting with the second wide-width surface of the junction box body, and a second fitting engagement portion protruding from one end of said plate-shaped portion of the second bracket,
 - wherein the first fitting-engagement portion of the first bracket and the second fitting engagement portion of the second bracket are configured to fit-engage with each other, and
 - wherein the first bracket is affixed directly to the junction box body and is affixed indirectly to the junction box body via the second bracket, while the second bracket is affixed directly

to the junction box body and is affixed indirectly to the junction box body via the first bracket, and

wherein each of the first bracket and the second bracket receives at least a part of the junction box body therein, and each of the first bracket and the second bracket is configured to be secured to a vehicle body.

References²

Sumida	US 5,569,040	Oct. 29, 1996
Sato026	US 6,780,026 B2	Aug. 24, 2004
Fukamachi	US 6,926,545 B2	Aug. 9, 2005
Sato281	US 7,077,281 B2	July 18, 2006

Rejections³

I. The Examiner rejects claims 1–4 under 35 U.S.C. § 102(b) as anticipated by Fukamachi. (Final Action 9.)

II. The Examiner rejects claim 5 under 35 U.S.C. § 103(a) as unpatentable over Fukamachi and Sato281. (Final Action 16.)

III. The Examiner rejects claim 6 under 35 U.S.C. § 103(a) as unpatentable over Fukamachi and Sato026. (Final Action 19.)

IV. The Examiner rejects claim 1–4 under 35 U.S.C. § 103(a) as unpatentable over Fukamachi and Sumida. (Final Action 9.)

V. The Examiner rejects claim 5 under 35 U.S.C. § 103(a) as unpatentable over Fukamachi, Sumida, and Sato281. (Final Action 16.)

VI. The Examiner rejects claim 6 under 35 U.S.C. § 103(a) as unpatentable over Fukamachi, Sumida, and Sato026. (Final Action 19.)

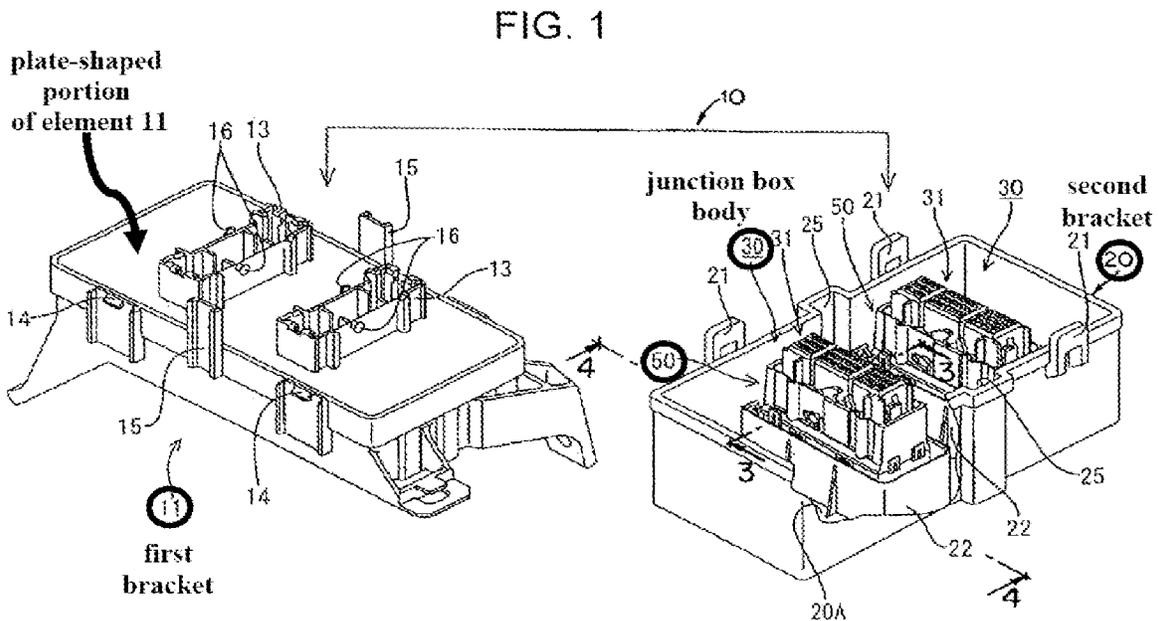
² Our quotations from these references will omit, where applicable, bolding and/or italicization of reference numerals.

³ The Examiner's rejection of claims 1–6 under 35 U.S.C. § 112, second paragraph (*see* Final Action 7), has been withdrawn (*see* Answer 16).

ANALYSIS

Claim 1 is the sole independent claim on appeal, with the rest of the claims on appeal (i.e., claims 2–6) depending directly or ultimately therefrom. (Appeal Br., Claims App.)

Independent claim 1 recites “a first bracket,” “a second bracket,” and “a junction box body.” (Appeal Br., Claims App.) The Examiner finds that Fukamachi discloses an electrical connection box comprising a first bracket, a second bracket, and a junction box body. (See Final Action 9.) Fukamachi discloses an electrical connector box comprising “a body 11,” “a lower cover 20,” and “a female connector 30.” (Fukamachi, col. 3. ll. 4–9.) Elements 11, 20, and 30, along with element 50 which is discussed in more detail below, are accentuated in our below annotated version of Fukamachi’s Figure 1.

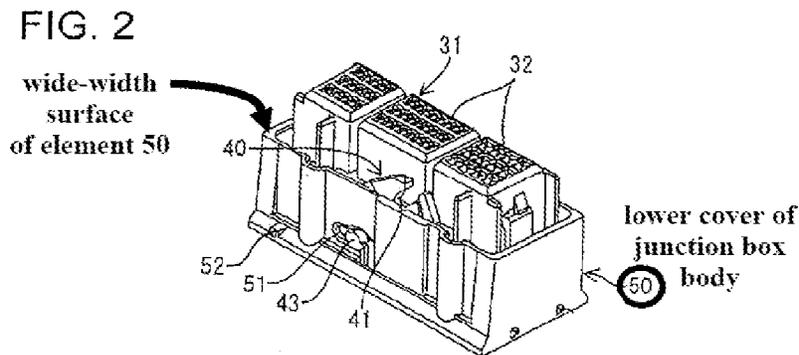


As labeled in the above annotated drawing, the Examiner considers Fukamachi’s element 11 to be the claimed “first bracket,” considers Fukamachi’s element 20 to be the claimed “second bracket,” and considers

Fukamachi's element 30 to be the claimed "junction box body." (Final Action 9.)

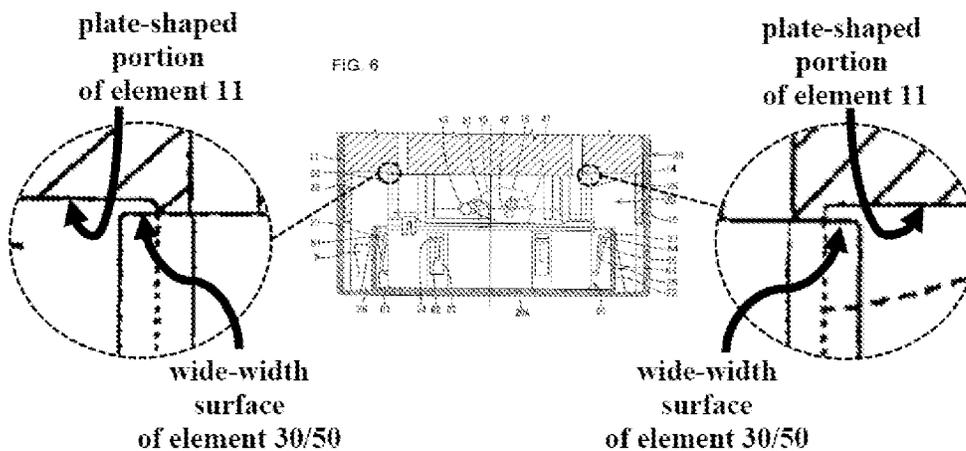
Independent claim 1 requires the first bracket to include a "plate-shaped portion." (Appeal Br., Claims App.) As labeled in our above annotated version of Fukamachi's Figure 1, Fukamachi's element 11, which the Examiner considers the claimed first bracket, includes a plate-shaped portion.

Independent claim 1 also requires the junction box body to have a "lower cover" with a "first wide-width surface." (Appeal Br., Claims App.) Fukamachi's element 30, which the Examiner considers the claimed junction box body, has "a rectangular box-shaped holder 50." (Fukamachi, col. 3, ll. 60–65.) Element 50, which is accentuated in our above annotated drawing of Fukamachi's Figure 1, is also accentuated in our below annotated version of a portion of Fukamachi's Figure 2.



As labeled in the above annotated drawing, the Examiner considers Fukamachi's element 50 to be the claimed "lower cover" of the junction box body. (Final Action 9.) As also labeled in the above annotated drawing, Fukamachi's box-shaped element 50 has an upper rectangular rim, which the Examiner considers to be the claimed "wide-width surface." (*Id.*)

directly contacting the wide-width surface of element 30/50. (See Appeal Br. 12–13, 17.) According to the Appellant, Fukamachi’s Figure 6 shows “a distance” between these neighboring elements (*id.* at 13), and directs our attention to left and right regions of Figure 6 (*see id.* at 14). These left and right regions are enlarged in our below annotated version of Fukamachi’s Figure 6.

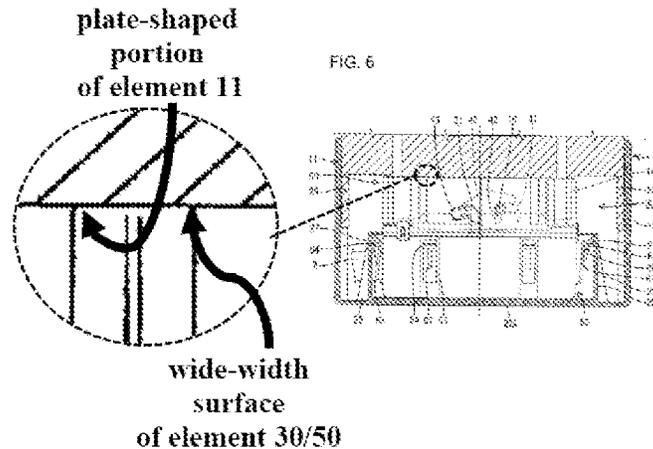


As labeled in the above annotated drawing, the plate-shaped portion of Fukamachi’s element 11 does appear to be spaced slightly above the wide-width surface of Fukamachi’s element 30/50 in the enlarged regions.⁴

However, the Examiner maintains that the Appellant’s arguments focus on the “left and right parts” of the plate-shaped portion of

⁴ The annotated enlarged regions of Figure 6, which the Appellant says show “a distance” between the plate-shaped portion of element 11 and the wide-width surface of element 30/50 (*see* Appeal Br. 13), also show that Fukamachi’s element 11 is affixed to the wide-width surface of Fukamachi’s element 50. In other words, in these regions, Fukamachi’s first bracket 11 is “affixed to” the “wide-width surface of the lower cover of the junction box” as required by independent claim 1. As such, insofar as the Appellant argues that Fukamachi does not disclose this limitation of independent claim 1, these arguments are not persuasive.

Fukamachi's element 11, and do not take into consideration the "the middle part" of the plate-shaped portion. (Answer 18.) This "middle" region is enlarged in our below annotated version of Fukamachi's Figure 6.



The Examiner finds that, as labeled in the above annotated drawing, the plate-shaped portion of Fukamachi's element 11 is disclosed as directly contacting the wide-width surface of Fukamachi's element 30/50 in the enlarged region. (*See id.* at 18–19.) This finding by the Examiner goes unchallenged by the Appellant.

Accordingly, we are unpersuaded by the Appellant's arguments that Fukamachi does not disclose the bracket structure required by independent claim 1. Thus, we sustain the Examiner's rejection of independent claim 1 under 35 U.S.C. § 102(b) as anticipated by Fukamachi (Rejection I).

The Appellant does not argue dependent claims 2–6 separately (*see* Appeal Br. 22), and, thus, we also sustain the Examiner's rejection of dependent claims 2–4 under 35 U.S.C. § 102(b) as anticipated by Fukamachi (Rejection I), the Examiner's rejection of dependent claim 5 under 35 U.S.C. § 103(a) as unpatentable over Fukamachi and Sato281 (Rejection II), and the Examiner's rejection of dependent claim 6 under

Appeal 2017-008958
Application 13/320,316

35 U.S.C. § 103(a) as unpatentable over Fukamachi and Sato026
(Rejection III).

The Examiner alternatively rejects independent claim 1, and dependent claims 2–6, under 35 U.S.C. § 103(a) as being unpatentable over Fukamachi and Sumida alone (Rejection IV), in view of Sato281 (Rejection V), or in view of Sato026 (Rejection VI). With respect to these rejections, the Appellant argues only that the directly-contacting limitation would not have been obvious over the combined teachings of Fukamachi and Sumida. (*See* Appeal Br. 17–22.) However, as the Appellant does not establish adequately that the Examiner errs in finding that this limitation is disclosed by Fukamachi, these arguments are unpersuasive. Thus, we also sustain these rejections.

DECISION

We AFFIRM the Examiner’s rejections of claims 1–6.

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