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ROCKWELL COLLINS, INC.
INTELLECTUAL PROPERTY DEPARTMENT
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EXAMINER	
GUPTA, PARUL H	

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte CARLO L. TIANA,
TRAVIS B. SMITH, and WESTON J. LAHR

Appeal 2017-011412[1]
Application 14/302,920[2]
Technology Center 2600

Before JOSEPH L. DIXON, JOHN D. HAMANN, and SCOTT E. BAIN, *Administrative Patent Judges*.

HAMANN, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants file this appeal under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–20. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

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[1] Our Decision relies upon Appellants' Appeal Brief ("App. Br.," filed May 22, 2017), Reply Brief ("Reply Br.," filed Sept. 8, 2017), and Specification ("Spec.," filed June 12, 2014), as well as the Examiner's Answer ("Ans.," mailed July 11, 2017), the Advisory Action ("Adv. Act.," mailed Mar. 15, 2017), and the Final Office Action ("Final Act.," mailed Nov. 18, 2016).

[2] According to Appellants, the real party in interest is Rockwell Collins, Inc. App. Br. 2.

THE CLAIMED INVENTION

Appellants' claimed invention relates to "image or brightness and/or contrast control in display systems," including as it relates "to image control for translucent and non-translucent displays." Spec. ¶ 1. Claim 1 is illustrative of the subject matter of the appeal and is reproduced below.

> 1. A method of controlling display content for a translucent display and a non-translucent display, the method comprising:
>
> receiving a control signal from a user interface;
>
> receiving a video input signal;
>
> filtering the video input signal in accordance with a spatial frequency threshold related to the control signal to provide a filtered video output frame, the filtered video output frame being filtered by at least spatial frequency filtering; and
>
> providing the filtered video output frame for display of images corresponding to the filtered video output frame on the translucent display and the non-translucent display.

REJECTION ON APPEAL

The Examiner rejected claims 1–20 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Arthur et al. (US 2007/0241936 A1; published Oct. 18, 2007) (hereinafter "Arthur"), Kabalkin et al. (US 2009/0112387 A1; published Oct. 18, 2007) (hereinafter "Kabalkin"), and De Haan et al. (US 2008/0042953 A1; published Feb. 21, 2008) (hereinafter "De Haan").

ISSUE

The dispositive issue for this appeal is whether the combination of Arthur, Kabalkin, and De Haan teaches or suggests a user interface for providing a single control signal for control of translucent and non-translucent displays.

ANALYSIS

We have reviewed the Examiner's rejection in light of Appellants' arguments that the Examiner errs. We find Appellants' arguments discussed herein[3] persuasive.

Independent claim 1 requires "receiving a control signal from a user interface" and using that control signal to produce a "filtered video output frame" for display on both a "translucent display and [a] non-translucent display." App. Br. 50. In other words, a control knob (i.e., user interface) provides a signal that controls the brightness and/or contrast of both a head-up display (i.e., a translucent display) and a head-down display (i.e., a non-translucent display) in an airplane, in accordance with a disclosed embodiment. *E.g.*, Spec. ¶¶ 34–38. Independent claims 11 and 15 recite limitations that are of commensurate scope as these limitations from claim 1. *Id.* at 52–53.

The Examiner finds that the combination of Arthur, Kabalkin, and De Haan teaches or suggests the disputed limitations. *See* Ans. 2–4; Final Act. 2–5; Adv. Act. 2. More specifically, the Examiner finds that Kabalkin teaches using both the heads-up and heads down display together so that the user may be able to view both displays without significant movement from one location to another. Ans. 2 (citing Kabalkin ¶ 23, Fig. 1). As to Arthur, the Examiner finds that Arthur teaches displaying information on a heads-up display (translucent) or a head-worn display (non-translucent). *Id.* at 2–3 (citing Arthur ¶¶ 8, 21). The Examiner also finds, with respect to the head-

[3] Because we agree with at least one of the dispositive arguments advanced by Appellants, we need not reach the merits of Appellants' other arguments.

worn display, that Arthur teaches having a knob that a pilot can control to adjust the display brightness. *Id.* at 3 (citing Arthur ¶ 21). The Examiner combines these teachings in concluding that the combination of Kabalkin and Arthur[4] teaches a single control knob to adjust the brightness of the images displayed on a translucent and non-translucent display. *Id.* at 4.

We agree with Appellants that the Examiner errs. For example, we agree that Kabalkin focuses on ergonomics and teaches providing a simultaneous view of two different displays or composite images on one display. App. Br. 11, Reply Br. 3–5 (citing Kabalkin ¶¶ 15–16, 18). Kabalkin makes no mention of controlling the image display (e.g., brightness or contrast). Kabalkin ¶¶ 15–16, 18. As to Arthur, we agree with Appellants and find that Arthur does not teach using two type of displays simultaneously. Arthur ¶¶ 8, 21, Fig. 1. Rather, Arthur teaches that a translucent display and a non-translucent display are alternatives. *Id.* Thus, Arthur's teaching of a knob to control display brightness does not teach a user interface for a control signal for a translucent display *and* a non-translucent display simultaneously. *Id.*

Accordingly, we do not sustain the Examiner's rejection of independent claims 1, 11, and 15. The Examiner relies on the same findings with respect to the rejection of the dependent claims. Accordingly, we also do not sustain the Examiner's rejection of dependent claims 2–10, 12–14, and 16–20.

[4] The Examiner states that "De Haan was not relied upon to teach a single control signal." Ans. 3. In other words, the Examiner no longer relies on the discussion embodied in the Advisory Action. Adv. Act. 2.

DECISION

We reverse the Examiner's decision rejecting claims 1–20.

REVERSED