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13/991,606	06/04/2013	Lidong Xu	ITL.2801US (P44521US)	1083
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TROP, PRUNER & HU, P.C. PO Box 41790 HOUSTON, TX 77241			AN, SHAWN S	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte LIDONG XU, WENHAO ZHANG, YI-JEN CHIU, HONG
JIANG, and YU HAN

Appeal 2019-003994
Application 13/991,606¹
Technology Center 2400

Before MARC S. HOFF, ELENI MANTIS MERCADER, and
BARBARA A. PARVIS, *Administrative Patent Judges*.

HOFF, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellant appeals under 35 U.S.C. § 134 from a Final Rejection of claims 1–31. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

Appellant's invention is Claim 1 is reproduced below:

1. A method comprising:
using an adaptive Wiener filter with offset for video decoding;
applying the adaptive Wiener filter on processed lower layer
reconstructed pictures and input enhancement layer pictures to
produce a filter output;

¹ Appellant states that the real party in interest is Intel Corporation. Appeal Br. 3.

using the filter output for interlayer prediction;
determining whether to send Wiener filter coefficients and offsets from an encoder to a decoder, to send only Wiener filter coefficients from the encoder to the decoder or to send only offsets from the encoder to the decoder.

The prior art relied upon by the Examiner as evidence is:

Name	Reference	Date
May	US 5,844,627	Dec. 1, 1998
Bao	US 2007/0014349 A1	Jan. 18, 2007
Wu	US 2008/0095238 A1	Apr. 24, 2008
Pereira	2010/0142844 A1	June 10, 2010
Narroschke	US 2010/0254463 A1	Oct. 7, 2010
Polyudov	US 7,962,736 B1	June 14, 2011
Fu	US 2012/0177107 A1	July 12, 2012
Choi	US 2012/0269261 A1	Oct. 25, 2012
Chono	US 2012/0307898 A1	Dec. 6, 2012
Ikai	US 2013/0136371 A1	May 30, 2013
Liu	US 2015/0103900 A1	Apr. 16, 2015

Claims 1–6, 9, 10, 13, 14, 18–25, 28, and 29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, May, and Fu. Final Act. 4.

Claims 7 and 26 stand rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, May, Fu, and Wu. Final Act. 4.

Claim 8 stands rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, Wu, May, Fu, and Pereira. Final Act. 5.

Claims 11 and 12 stand rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, Wu, May, Fu, and Ikai. Final Act. 4.

Claims 15 and 17 stand rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, May, Fu, and Polyudov. Final Act. 4.

Claim 16 stands rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, May, Fu, and Bao. Final Act. 4.

Claim 27 stands rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, May, Fu, and Pereira. Final Act. 4.

Claims 30 and 31 stand rejected under 35 U.S.C. § 103 as being unpatentable over Chono, Narroschke, Choi, Liu, May, Fu, and Ikai. Final Act. 4.

Throughout this decision, we make reference to the Appeal Brief (“Appeal Br.,” filed Jan. 23, 2019) and the Examiner’s Answer (“Ans.,” mailed Mar. 21, 2019) for their respective details.

ISSUE

Does May teach determining whether to send Wiener filter coefficients from an encoder to a decoder?

ANALYSIS

35 U.S.C. § 103 Rejections

Independent claims 1 and 13 recite, inter alia, “determining whether to send Wiener filter coefficients and offsets from an encoder to a decoder, to send only Wiener filter coefficients from the encoder to the decoder or to send only offsets from the encoder to the decoder.”

The Examiner finds that Chono does not teach, inter alia, determining whether to send Wiener filter coefficients from an encoder to a decoder, and relies on May for a teaching of such a determination. Final Act. 3.

Appellant contends that May does not teach determining whether to send coefficients from an encoder to a decoder. Specifically, Appellant argues that May teaches only determining whether to send Wiener filter (101) coefficients to encoder 104. Wiener teaches such a digital filter 101 for noise removal; the filtered data stream is then provided to a video compression system 104, and compressed data is then stored in a mass storage system. May col. 2:53–62.

We agree with Appellant. The Examiner correctly characterized May’s compression system as an “encoder.” May teaches no decoder, and thus does not teach any determination whether to send Wiener filter coefficients from an encoder to a decoder.

The Examiner thus erred in finding that the combination of Chono, Narroschke, Choi, Liu, May, and Fu teaches or suggests all the limitations of claims 1–6, 9, 10, 13, 14, 18–25, 28, and 29. We do not sustain the Examiner’s § 103 rejection.

Similarly, we do not sustain the rejection of claims 7 and 26 over Chono, Narroschke, Choi, Liu, May, Fu, and Wu. We do not sustain the rejection of claim 8 over Chono, Narroschke, Choi, Liu, Wu, May, and Fu. We do not sustain the rejection of claims 11 and 12 over Chono, Narroschke, Choi, Liu, Wu, May, Fu, and Ikai. We do not sustain the rejection of claims 15 and 17 over Chono, Narroschke, Choi, Liu, May, Fu, and Polyudov. We do not sustain the rejection of claim 16 over Chono, Narroschke, Choi, Liu, May, Fu, and Bao. We do not sustain the rejection of claim 27 over Chono, Narroschke, Choi, Liu, May, Fu, and Pereira. Last, we do not sustain the

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rejection of claims 30 and 31 over Chono, Narroschke, Choi, Liu, May, Fu,
and Ikai.

CONCLUSION

May does not teach determining whether to send Wiener filter
coefficients from an encoder to a decoder.

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/ Basis	Affirmed	Reversed
1–6, 9, 10, 13, 14, 18–25, 28, 29	103	Chono, Narroschke, Choi, Liu, May, Fu, Wu		1–6, 9, 10, 13, 14, 18–25, 28, 29
7, 26	103	Chono, Narroschke, Choi, Liu, Wu, May, Fu		7, 26
8	103	Chono, Narroschke, Choi, Liu, Wu, May, Pereira, Fu		8
11, 12	103	Chono, Narroschke, Choi, Liu, Wu, May, Fu, Ikai		11, 12
15, 17	103	Chono, Narroschke, Choi, Liu, May, Fu, Polyudov		15, 17
16	103	Chono, Narroschke, Choi, Liu, May, Fu, Bao		16
27	103	Chono, Narroschke, Choi, Liu, May, Fu, Pereira		27
30, 31	103	Chono, Narroschke, Choi, Liu, May, Fu, Ikai		30, 31
Overall Outcome				1–31

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ORDER

The Examiner's decision to reject claims 1–31 is reversed.

REVERSED