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GP-Eversheds Sutherland (US) LLP 999 Peachtree Street, NE Suite 2300 Atlanta, GA 30309			RANDALL, JR., KELVIN L	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte BRIAN CHRISTOPHER HOREL, HAROLD JOHN GOEKING,
and ABBY CASE

Appeal 2019-004684
Application 13/816,757
Technology Center 3600

Before JENNIFER D. BAHR, WILLIAM A. CAPP and LISA M. GUIJT,
Administrative Patent Judges.

GUIJT, *Administrative Patent Judge.*

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellant¹ seeks our review under 35 U.S.C. § 134(a) of the rejection of claims 1–6, 8–12, 14–16, 18–22, and 24–31. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

¹ We use the word “Appellant” to refer to “applicant” as defined in 37 C.F.R. § 1.42. Appellant identifies Georgia-Pacific Consumer Products LP, as the real party in interest. Appeal Br. 2.

THE INVENTION

Appellant's invention relates to "a sheet product dispenser, and more particularly to a combination sheet product dispensing unit and a cartridge therefore, where the cartridge holds the sheet product to be dispensed via the dispensing unit." Spec. ¶ 2. Claims 1, 9, and 16 are the independent claims on appeal. Claim 1, reproduced below, is illustrative of the subject matter on appeal.

1. A dispensing apparatus combination for dispensing sheet product, the dispensing apparatus combination comprising:
 - a cartridge comprising:
 - an enclosure comprising a cartridge opening; and
 - sheet product disposed within the enclosure and configured to be dispensed through the cartridge opening; and
 - a sheet product dispensing unit comprising:
 - a housing comprising:
 - a plurality of walls each comprising an interior surface and an exterior surface disposed opposite the interior surface, the interior surfaces of the walls defining an interior space therebetween, and the exterior surfaces of the walls defining an exterior of the housing;
 - a receiving port defined along the exterior surface of one or more of the walls and configured to receive at least a portion of the cartridge therein;
 - an entry opening extending through one or more of the wall and disposed proximate the receiving port, the entry opening configured to allow the sheet product to pass from the cartridge into the interior space; and
 - a dispensing opening extending through one or more of the walls and spaced apart from the entry opening, the dispensing opening configured to allow the sheet product to pass from the interior space of the housing; and
 - a drive mechanism disposed within the interior space and configured to dispense the sheet

product from the interior space out of the housing,
the drive mechanism comprising:

a motor; and

a driver roller disposed in operable
communication with the motor;

wherein the cartridge is configured to be disposed in
operable communication with the sheet product dispensing unit
such that the cartridge opening is disposed within the receiving
port and proximate the entry opening.

THE REJECTIONS²

The Examiner relies upon the following as evidence in support of the
rejections:

NAME	REFERENCE	DATE
Kettles, Jr.	US 2,092,166	Sept. 7, 1937
West	US 2,440,993	May 4, 1948
Armbruster	US 5,107,734	Apr. 28, 1992
Mitchell	US 2004/0124202 A1	July 1, 2004
Lewis	US 2006/0000845 A1	Jan. 5, 2006
Formon	US 7,004,435 B2	Feb. 28, 2006
O'Neil	US 2008/0223869 A1	Sept. 18, 2008
Leu	US 7,837,093 B1	Nov. 23, 2010
Troutman	US 2010/0314429 A1	Dec. 16, 2010

² The Examiner objects to claims 7 and 13 “as being dependent upon a
rejected base claim,” and finds claims 7 and 13 “allowable if rewritten in
independent form including all of the limitations of the base claim and any
intervening claims.” Final Act. 19.

The following rejections are before us for review:

- I. Claims 1, 4, and 29–31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over West, Mitchell, Lewis, and Armbruster.
- II. Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over West, Mitchell, Lewis, Armbruster, and Formon.
- III. Claims 3, 5, 9–12, 15, and 25–28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over West, Mitchell, Lewis, Armbruster, and Troutman.
- IV. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over West, Mitchell, Lewis, Armbruster, and O’Neil.
- V. Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over West, Mitchell, Lewis, Armbruster, O’Neil, and Leu.
- VI. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over West, Mitchell, Lewis, Armbruster, Troutman, O’Neil, and Leu.
- VII. Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over O’Neil and Leu.
- VIII. Claims 18–21 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over O’Neil, Leu, and Armbruster.
- IX. Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over O’Neil, Leu, Armbruster, and Kettles.

OPINION

Rejection I

Regarding independent claim 1, the Examiner finds that West discloses, *inter alia*, a sheet product dispensing unit comprising: (i) a

housing (i.e., outer housing 10) with walls having interior surfaces defining an interior space and exterior surfaces defining the housing's exterior; (ii) a receiving port (i.e., "covered by" removable cover 11) defined along one or more of the wall's exterior surfaces; (iii) an entry opening (i.e., "defined by [shelves] 28, 29") disposed proximate the receiving port; (iv) a dispensing opening (i.e., charge opening or slot 12); and (v) a drive mechanism (i.e., pair of rollers 15, 16). Final Act. 4–5 (West, Figs. 1, 9); *see also* West 2:27–28, 31–33, 37–41, 4:12–14. More specifically, the Examiner finds that "[West's] wall configurations" disclose the claimed walls "when the lid member 11 is removed," for example, West's shelves 28, 29 are walls having internal and external surfaces when cover 11 is removed from West's dispensing unit, wherein the external (or upper) surfaces of shelves 28, 29 form the bottom surface of a receiving port, and the internal (or lower) surfaces opposite the exterior surfaces of shelves 28, 29 form an interior space, as claimed. *Id.* at 5; *see also* Ans. 8, 9 (wherein the Examiner provides an Annotated Figure 9 of West identifying external surfaces of the housing as including the exterior of rectangular housing 10 as well as the walls' surfaces defining the receiving port, which include surfaces of shelves 28, 29).

The Examiner determines that West fails to disclose, *inter alia*, (i) "a cartridge," as claimed; (ii) "an entry opening extending through one or more of the walls," as claimed (as compared to an entry opening extending between one or more shelves as in West); (iii) "a motor; and a drive roller," as claimed; and (iv) "wherein the cartridge is configured to be disposed in operable communication with the sheet product dispensing unit such that the

cartridge opening is disposed within the receiving port and proximate the entry opening,” as claimed. Final Act. 4–5.

The Examiner relies on Mitchell for disclosing “a cartridge comprising: an enclosure comprising a cartridge opening; and sheet product disposed within the enclosure and configured to be dispensed through the cartridge opening,” as claimed (i.e., container 30, 131). Final Act. 5 (citing Mitchell, Figs. 1–8). The Examiner reasons, *inter alia*, that it would have been obvious “to combine the teachings of West with the cartridge of Mitchell so as to . . . limit[] sheet contact with the outer environment to protect against contamination.” *Id.*; *see also* Ans. 11 (reasoning that “one of ordinary skill in the art would have seen inserting a packaged product capable of dispensing through a device for protection of the product to be dispensed,” because “[t]here would be no need to handle the bare product, thus, potentially contaminating it with possible debris”). The Examiner also finds that

the combination is further capable of providing [a] cartridge . . . configured to be disposed in operable communication with the sheet product dispensing unit such that the cartridge opening is disposed within the receiving port and proximate the entry opening by using parts within their normal known usage by way of placing a cartridge inside an outer housing.

Id.

The Examiner also relies on Lewis for disclosing an entry opening (i.e., opening 18) “extending through one or more of the walls.” Final Act. 5 (citing Lewis, Figs. 8–11). The Examiner reasons, *inter alia*, that it would have been obvious to combine the teachings of West, as modified to include a cartridge as disclosed by Mitchell, to further include “the entry opening of Lewis to provide greater surface area contact for more stable supporting.”

Id. at 6; *see also* Ans. 12 (“Lewis provides the teaching of an entry opening with more surface contact, thus, being capable of providing a better supporting surface of the product above”). In other words, we understand that the Examiner is proposing to modify West’s shelves 28, 29, which are spaced apart to define an entry opening, to be a single wall with an entry opening, as taught in Lewis.

The Examiner further relies on Armbruster for disclosing a drive mechanism comprising a motor (i.e., motor 54) and a driver roller (i.e., roller 44). Final Act. 6 (citing Armbruster, Fig. 4). The Examiner reasons that it would have been obvious “to combine the teachings of West, with that of Mitchell, Lewis, and Armbruster so as to provide an automatic means alternative to a manual means of dispensing as obvious to one of ordinary skill in the art.” *Id.*

Thus, we understand that the Examiner’s proposed modification results, *inter alia*, in West’s dispensing unit having a single wall with an entry opening (as taught in Lewis) *in place of* West’s individual, spaced apart shelves 28, 29 (hereinafter “the Lewis wall”), to provide a greater surface area for supporting the towels above it, and that West’s individually stacked towels are enclosed in a cartridge (as taught in Mitchell), which is received in West’s dispensing unit *in place of* West’s individually stacked towels in a receiving port, and particularly, in a space that is now defined by exterior walls of the housing because West’s cover 11 is no longer required to maintain the towels in a sanitary condition within the receiving port.

Appellant argues that the cited references “fail to disclose or teach a housing that includes a receiving port as recited in claim 1,” and specifically, “a receiving port defined along the exterior surface of one or more of the

walls and configured to receive a portion of the cartridge therein,” as claimed. Appeal Br. 12; *see also* Reply Br. 3–4. In support, Appellant contends that (i) the interior surface of a lower portion of a sidewall of West’s housing 10 cannot be considered an *interior* surface defining an interior space (for example, enclosing West’s rollers 15, 16), while an upper portion of the *same* interior surface of the sidewall is considered an *exterior* surface defining a receiving port); (ii) “[t]he interior surfaces of [West’s front, back and side walls] of the housing 10 and [] top surfaces of [] shelves 28, 29 do not become ‘external surfaces’ even when the cover 11 is in an open position, as these surfaces do not define the exterior of housing 10”; and (iii) “the top edges of [the front, back, and side walls] of the housing 10 cannot reasonably be considered the claimed ‘external surfaces’ because such edges are not disposed opposite ‘internal surfaces’ that define the interior space of the housing 10.” Appeal Br. 13–14.

We are not persuaded by Appellant’s arguments. Claim 1 recites “a housing *comprising*: a *plurality* of walls.” The transitional phrase “comprising” is open-ended, and, as used here, does not exclude additional structures (or additional walls) from being included as part of the housing. We find that claim 1 reads on the Examiner’s proposed modification of West when two (i.e., a plurality, or more than one) walls are selected: first, the wall (as taught in Lewis) that replaces West’s shelves 28, 29 (or the Lewis wall), and second, the bottom wall of West’s housing, which has slot 12.³ Considering these two walls and the limitations of claim 1, each wall has

³ Notably, West itself recognizes the structural separability of the walls of housing 10, referring, for example, to “an end wall of the outer housing.” West 2:42–43.

interior surfaces (i.e., the lower surface of the Lewis wall and the upper surface of West's bottom wall) and exterior surfaces disposed opposite the interior surfaces, respectively (i.e., the upper surface of the Lewis wall and the lower surface of West's bottom wall), wherein the interior surfaces of the walls define an interior space therebetween (i.e., the space enclosing West's rollers 15, 16) and the exterior surfaces of the walls define an exterior of the housing. In this respect, we agree with the Examiner that the Examiner's proposed modification (i.e., removing West's cover 11) results in the upper surface of the Lewis wall defining an exterior of the housing because such surface is open to the atmosphere prior to insertion of a cartridge. Appellant's arguments *supra* regarding the sidewalls and top edges of walls of West's housing are moot.

Appellant also argues that the prior art references relied on by the Examiner "fail to disclose or teach a housing that includes an entry opening as recited in claim 1." Appeal Br. 14; *see also* Reply Br. 3–4. In support, Appellant contends that: (i) "shelves 28, 29 of *West* cannot be considered one of the claimed walls of the housing because no surface of either of the shelves 28, 29 defines an exterior of the housing 10, as required by claim 1"; (ii) "the opening defined between the shelves 28, 29 does not extend through one or more of [the front, back, top, bottom, or side walls] of housing 10 (i.e., the walls of the housing 10 which include the interior surfaces that define the interior space of the housing 10 and the opposite exterior surfaces that define an exterior of the housing 10"; and (iii) "the opening defined between shelves 28, 29 is not disposed proximate a receiving port as recited in claim 1," because "the housing 10 of *West* does not even include a receiving port as recited in claim 1." Appeal Br. 15.

We are not persuaded by Appellant’s arguments. As discussed *supra*, we agree with the Examiner that eliminating cover 11 from West’s housing exposes the upper surface of the Lewis wall, which becomes an exterior surface of housing 10. We also are not apprised of error in the Examiner’s identification of an entry opening extending through one of the plurality of walls (i.e., the Lewis wall), as required by claim 1. *See also* Ans. 10 (correctly finding that claim 1 does not require the claimed entry opening to extend through a front, back, top, bottom, or side wall of the housing, although we note that removing cover 11 results in the Lewis wall becoming a top wall of West’s housing 10). Notably, as discussed *supra*, the Examiner modifies West’s shelves 28, 29 to be a wall as taught by Lewis (the Lewis wall), and identifies the space above the Lewis wall, including West’s sidewalls above the shelves 28, 29 (or the Lewis wall according to the modification), as forming a cavity⁴ for receiving a cartridge (i.e., a receiving port⁵), so according to the Examiner’s proposed modification, the entry opening in West, as modified by Lewis, *is proximate* (or in close relationship to) a receiving port, as required by claim 1, because the entry opening is in the Lewis wall that defines the bottom wall of the receiving port. *Cf.* Spec., Figure 7 (cavity or receiving port 28 in dispensing unit 20, entry opening 23).

Appellant also argues that the prior art references relied on by the Examiner “fail to disclose or teach the relationship between a cartridge and a

⁴ Appellant does not argue that the receiving port identified by the Examiner, according to the Examiner’s proposed modification of West in view of Lewis, is not, or must be, a cavity. Appeal Br. 7–40.

⁵ *See* Spec. ¶ 52 (“dispensing unit 20 includes a cavity 28 (alternatively herein referred to as a receiving port) that provides room for receiving or nesting the cartridge 25 therein”).

sheet product dispensing unit as recited in claim 1.” Appeal Br. 16. In support, Appellant concludes that the Examiner “fails to explain how the combination of the teachings of the cited references would satisfy the claimed relationship.” *Id.* at 17. We disagree with Appellant’s conclusion. As discussed *supra*, the Examiner identifies the space above the Lewis wall as forming a receiving port for receiving a cartridge, as taught by Mitchell.

Appellant further argues that “the asserted rationales for combining the teachings of [the prior art relied on by the Examiner] are legally insufficient,” because

[the Examiner does not explain] with sufficient articulated reasoning why one of skill in the art would have started with the disclosure of *West*, looked to the teachings of *Mitchell*, *Lewis*, and *Armbruster*, and then – when considering the prior art for all that it teaches – combine and modify the teachings of the references to derive the dispensing apparatus combination of claim 1.

Appeal Br. 17; *see also* Reply Br. 5–6. In support, Appellant characterizes the Examiner’s rationale for modifying *West*, in view of *Mitchell*, to use a cartridge of paper towels rather than individually stacked towels, as “vague and generic,” and argues that “[*West*’s] housing 10 already includes the cover 11 for covering and protecting paper towels 32 from the surrounding environment, and thus it is unclear how use of a cartridge would provide a further benefit that would have led one skilled in the art to make the asserted modification.” Appeal Br. 18.

We are not persuaded by Appellant’s argument. Where “a patent claims a structure already known in the prior art that is altered by the mere substitution of one element for another known in the field, the combination must do more than yield a predictable result.” *See KSR Int’l Co. v. Teleflex*,

Inc., 550 U.S. 398, 416 (2007). Alternatively, “if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill.” *Id.* at 417. Here, the Examiner has provided sufficient rationale *supra* for substituting West’s individually stacked towels with a paper towel package known in the art of paper towel dispensers, namely, a cartridge, by determining that a cartridge for enclosing individually stacked paper towels to protect the towels against contamination is a known substitute for a receptacle that receives individually stacked paper towels and has a cover for protecting the towels against contamination.

Appellant also characterizes the Examiner’s rationale for modifying West, in view of Lewis, as “vague and generic,” in that “it is unclear how forming an opening in a housing would provide ‘greater surface area contact.’” Appeal Br. 18–19. Again, however, we determine that the Examiner’s reasoning is factually supported because replacing two shelves 28, 29, with cutaways that define an opening, as disclosed in West, with a single tray or wall defining an opening, is an alternative, known construction that may indeed result in a greater surface area for supporting towels placed in a receptacle above the shelves or Lewis wall. *See, e.g.*, West 4:12–19 (“[t]wo horizontal shelves 28 and 29 . . . are provided in the dispenser for supporting the stack of paper towels,” wherein “[t]he edges of the shelves are cut away”); Lewis ¶ 34 (“dispenser housing 12 provides an internal compartment 14 and the housing 12 is configured to hold a rolled sheet material product . . . within the internal compartment 14, *desirably*

upon a base or tray 16 . . . which has a dispensing port or opening 18”
(emphasis added)).

Finally, Appellant argues that the Examiner improperly relied on hindsight. Appeal Br. 19; *see also* Reply Br. 6. In support, Appellant contends that “the cited references fail to disclose or reasonably teach the receiving port, the entry opening, and the relationship between the cartridge and the sheet product dispensing unit as recited in claim 1,” nor do the cited references “include any teaching that would have led one of ordinary skill in the art to combine and modify the teachings of the references in a manner that would result in these features of claim 1.” Appeal Br. 19–20. However, for the reasons discussed *supra*, we are not persuaded that the Examiner’s findings or reasoning are deficient as argued by Appellant, and Appellant does not identified any knowledge that the Examiner relied upon that was gleaned only from Appellants’ disclosure and that was not otherwise within the level of ordinary skill at the time of the invention. *See In re McLaughlin*, 443 F.2d 1392 (CCPA 1971).

Accordingly, we sustain the Examiner’s rejection of independent claim 1. Appellant chose not present any arguments for the patentability of dependent claims 4 and 29–31 apart from the arguments presented for independent claim 1 *supra*, and therefore, we also sustain the Examiner’s rejection of claims 4 and 29–31. Appeal Br. 20.

Rejection III

Regarding independent claim 9, Appellant chose not present any arguments for the patentability of claim 9 apart from the arguments presented for independent claim 1 *supra*, and therefore, we also sustain the

Examiner's rejection of claim 9. Appeal Br. 20–24⁶; *see also* Reply Br. 7. Additionally, Appellant chose not to present any arguments for the patentability of dependent claims 3, 5, 10–12, 15, and 25–28 apart from the arguments presented for independent claim 1 *supra*, and therefore, we also sustain the Examiner's rejection of claims 3, 5, 10–12, 15, and 25–28. Appeal Br. 20.

Rejection VII

Regarding independent claim 16, the Examiner finds, *inter alia*, that O'Neil discloses the claimed cartridge including a verification feature, as claimed, however, O'Neil fails to disclose that the rejection feature is one of the specific rejection features recited in claim 16. Final Act. 15–16 (citations omitted). The Examiner relies on Leu for teaching a rejection feature that is an RFID tag, as claimed, reasoning that it would have been obvious to combine the teachings of O'Neil and Leu “to provide an alternative verification means of a finite number of choices for a product and corresponding holder as known to one of ordinary skill in the art.” *Id.* at 16 (citing Leu 3:38–43).

Appellant argues that Leu is nonanalogous art and, therefore, improperly relied on by the Examiner, because Leu is in the field of endeavor of “a system for filling prescription bottles,” which is not in Appellant's field of endeavor, namely, “a sheet product dispensing unit,” nor is Leu “pertinent to problems faced by the inventors of the present

⁶ Notably, in the rejection of independent claim 9, the Examiner relies on Troutman for disclosing a sensor, as claimed.

application, [namely,] verifying that a cartridge is authorized for use with a sheet product dispensing unit.” Appeal Br. 27–28; *see also* Reply Br. 7–8.

The precedent of our reviewing court establishes a two prong test for determining whether art is analogous: “(1) whether the art is from the same field of endeavor, regardless of the problem addressed and, (2) if the reference is not within the field of the inventor’s endeavor, whether the reference still is reasonably pertinent to the particular problem with which the inventor is involved.” *In re Klein*, 647 F.3d 1343, 1348 (Fed. Cir. 2011) (quoting *In re Bigio*, 381 F.3d 1320, 1325 (Fed. Cir. 2004)).

Here, we agree with Appellant that the field of endeavor of Appellant’s invention is “sheet product dispensers,” which is disparate from Leu’s branding verification system for pharmaceutical/medical containers. *See, e.g.*, Spec. ¶ 3; Leu 1:31–33. Notwithstanding, we find that Leu’s disclosure is reasonably pertinent to the inventors’ problem of verifying that a cartridge is the intended cartridge for use in a dispensing unit, by disclosing a system that verifies whether the branding of a container is correct for dispensing systems that dispense medication for multiple pharmacy brands—or in other words, a product verification feature. Leu 5:48–54, 6:14–24; *see also* Spec. ¶ 69 (disclosing “a verification feature . . . utilized and activated to signal . . . insertion of a non-authorized product that would result in a product-verification-failure-signal”). Thus, we find that Leu is analogous art properly relied on by the Examiner in the rejection of independent claim 16.

Appellant also argues that the Examiner’s rationale lacks sufficient factual underpinnings and is “vague and generic.” Appeal Br. 28; *see also* Reply Br. 7–8. In support, Appellant contends that

[the Examiner] does not provide a specific, relevant reason why one of ordinary skill in the art would have been led to combine the respective teachings of *O'Neil* and *Leu* such that the refill pack 11 of *O'Neil* includes an RFID tag instead of the conducting strips for completing the circuit 22.

Appeal Br. 29. Appellant also contends that

[the Examiner] fails to provide any explanation as to the alleged “finite number of choices” that one skilled in the art would choose from in selecting an “alternative verification means” or why the selection of an RFID tag would have been an obvious selection for the refill pack 11 of *O'Neil* . . . and the RFID tag of *Leu* in a manner that is not supported by the asserted explanation.

Id. Appellant concludes that the Examiner impermissibly relies on hindsight. *Id.* at 29–30.

We are not persuaded by Appellant’s argument. *O'Neil* discloses the desirability of including a compatibility actuator on a refill pack of wet wipes, for example, which is designed to interact with a compatibility sensor on a container, wherein “[t]he interaction between the compatibility sensor and compatibility actuator can be mechanical, electrical, magnetic *or by any other means.*” *O'Neil* ¶¶ 2, 25 (emphasis added). Thus, *O'Neil* itself suggests that other known verification sensor technologies may be employed to determine whether the pack of wet wipes is intended or authorized for use in the dispensing container. As relied on by the Examiner, *Leu* discloses that one such known means for product verification is “[a]n RFID tag reader.” *Leu* 3:38–43. Thus, the Examiner’s reasoning is supported by rationale underpinning, in that it would have been obvious to select RFID technology as a verification system for use with *O'Neil*’s wet wipe dispenser, because *Leu* discloses RFID technology as an available choice for

product verification systems. As such, the Examiner did not improperly rely on hindsight.

Accordingly, we sustain the Examiner’s rejection of independent claim 16.

Rejections II, IV–VI, VIII, and IX

Appellant chose not to present any arguments for the patentability of dependent claims 2, 6, 8, 14, 18–22, and 24, apart from the arguments presented for independent claims 1, 9, and 16 *supra*, and therefore, we also sustain the Examiner’s rejection of claims 2, 6, 8, 14, 18–22, and 24.

Appeal Br. 20, 24, 30.

CONCLUSION

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1, 4, 29–31	103(a)	West, Mitchell, Lewis, Armbruster	1, 4, 29–31	
2	103(a)	West, Mitchell, Lewis, Armbruster, Formon	2	
3, 5, 9–12, 15, 25–28	103(a)	West, Mitchell, Lewis, Armbruster, Troutman	3, 5, 9–12, 15, 25–28	
6	103(a)	West, Mitchell, Lewis, Armbruster, O’Neil	6	
8	103(a)	West, Mitchell, Lewis, Armbruster, O’Neil, Leu	8	
14	103(a)	West, Mitchell, Lewis, Armbruster, Troutman, O’Neil, Leu	14	
16	103(a)	O’Neil, Leu	16	

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
18–21, 24	103(a)	O’Neil, Leu, Armbruster	18–21, 24	
22	103(a)	O’Neil, Leu, Armbruster, Kettles	22	
Overall Outcome			1–6, 8–12, 14–16, 18–22, 24–31	

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