

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 25

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte GARY C. RIEBE

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Appeal No. 1998-1263  
Application No. 08/351,993

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ORDER REMANDING TO EXAMINER

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The Supplemental Examiner's Answer, entered on October 23, 1997 (Paper No. 24), on page 2 authorized the entry of an Amendment after final, Amendment E, which was filed on September 23, 1997 (Paper No. 23). Amendment E has been physically entered into the record. It appears, however, that the Appendix that accompanied the Appeal Brief filed on April 14, 1997 (Paper No. 17) does not incorporate the changes in Amendment E.

Appeal No. 1998-1263  
Application 08/351,993

Accordingly, it is

ORDERED that the application is remanded to the examiner for requesting that the applicant submit a new Appendix incorporating the changes in Amendment E, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: \_\_\_\_\_  
CRAIG R. FEINBERG  
Program and Resource Administrator

Mary A. Tucker  
The B. F. Goodrich Company  
Patent Law Department  
9921 Brecksville Road  
Brecksville, OH 44141-3289

CRF:llf

