

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte EDWARD R. MOYNIHAN, DAVID W. GAILUS, ROBERT G. PALIFKA,
PAUL A. HOISINGTON, NATHAN P. HINE, DAVID ADAMS-BRADY,
MELVIN L. BIGGS, MARLENE M. McDONALD, STEVEN H. BARSS,
DIANE MACKAY, BRUCE A. PAULSON and STEPHEN C. MACKAY

Appeal No. 1999-1853
Application 08/406,297¹

ORDER REMANDING TO EXAMINER

An Information Disclosure Statement was filed June 7, 1999 (Paper No. 30).

It is not apparent from the record that the examiner considered the statement submitted nor notified applicant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the Information Disclosure Statement and for such further action as may be appropriate.

¹ Application for patent filed March 17, 1995. According to the appellants, the application is a continuation-in-part of Application 08/215,301, filed March 21, 1994.

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

BOARD OF PATENT APPEALS
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By: _____
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