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JUN 12 1997

**OFFICE OF PETITIONS
AND PATENTS**

In re Application of :
David A. Lomas : DECISION GRANTING
Application No. 08/763,380 : PETITION
Filed: December 13, 1996 :
Attorney Docket No 101194-JGT .

This is a decision on the petition filed January 23, 1997, requesting that the above-identified application be accorded a filing date of December 13, 1996. The application was recently forwarded to this office for consideration of the petition.

The application was filed on December 13, 1996. However, on January 14, 1997, Application Processing Division mailed a "Notice" requiring a drawing containing "Figure 1" described in the specification and stating that the filing date would be the date of receipt of the omitted drawing.

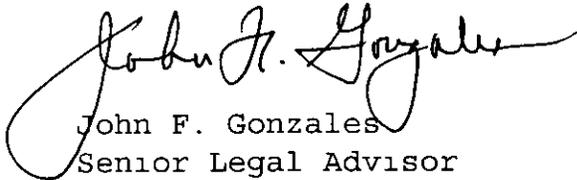
In response, the present petition was filed wherein it is argued that 1 sheet of drawings containing the single figure described in the specification was filed on December 13, 1996. As evidence thereof, applicant has submitted, inter alia, a copy of his postcard receipt which acknowledges receipt in the PTO of 1 sheet of drawings on December 13, 1996.

In view of the above, the petition is granted. PTO records do not show that a petition fee has been paid and none is required.

The "Notice" mailed January 14, 1997, is hereby withdrawn.

The application is being returned to Application Processing

Division for further processing with a filing date of December 13, 1996, using the 1 sheet of drawings supplied with the petition and for indication on the file wrapper label that 1 sheet of drawings was included on filing.

A handwritten signature in cursive script that reads "John F. Gonzales". The signature is written in black ink and is positioned above the typed name.

John F. Gonzales
Senior Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

JFG