

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 13

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

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Ex parte ROGER L. ROBEY

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Appeal No. 2002-0442  
Application No. 09/671,854

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ON BRIEF

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Before WINTERS, WILLIAM F. SMITH, and SCHEINER, Administrative Patent Judges.

WINTERS, Administrative Patent Judge.

DECISION ON APPEAL

This appeal was taken from the examiner's decision rejecting claim 3, which is the only claim remaining in the application.

The appealed claim reads as follows:



Accordingly, the examiner's decision rejecting claim 3 under 35 U.S.C. § 103(a) is reversed.

REVERSED

Sherman D. Winters )  
Administrative Patent Judge )  
)  
)  
) BOARD OF PATENT  
William F. Smith )  
Administrative Patent Judge ) APPEALS AND  
)  
) INTERFERENCES  
Toni R. Scheiner )  
Administrative Patent Judge )

Appeal No. 2002-0442  
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