

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 17

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL F. CUNNINGHAM, RICHARD P.N. VEREGIN,
CARL P. TRIPP, THOMAS E. ENRIGHT, MARIA V. McDOUGALL
and JOHN A. CREATURA

Appeal No. 1997-0135
Application No. 08/308,223

ON BRIEF

Before KIMLIN, ELLIS and OWENS, Administrative Patent Judges.
KIMLIN, Administrative Patent Judge.

REQUEST FOR REHEARING

This is in response to appellants' paper of July 19, 1999, entitled "Petition for Reconsideration."

Appellants do not request that we modify our decision of June 15, 1999, wherein we sustained some of the examiner's rejections under 35 U.S.C. § 112, in any way. Rather,

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appellants simply request that we remand the present application to the examiner such that amendments may be considered for obviating the § 112 rejections that were sustained in our decision. Appellants have attached a proposed amendment to their request.

We will grant appellants' request and hereby remand this application to the examiner to entertain appropriate amendments by appellants.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

This application, by virtue of its "special" status, requires immediate action. See the Manual of Patent Examining Procedure, § 708.01 (7th ed., July 1998). It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal in this case.

GRANTED AND REMANDED

EDWARD C. KIMLIN)
Administrative Patent Judge)
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JOAN ELLIS) BOARD OF PATENT

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Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
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TERRY J. OWENS)	
Administrative Patent Judge)	

ECK:clm

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