

The opinion of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 26

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ADOLF SCHONER & KURT ROTTNER

Appeal No. 2001-0032
Application 08/735,389

ORDER REMANDING TO EXAMINER

On March 17, 2000, an Examiner's Answer (Paper No. 23 was mailed. In the Examiner's Answer, the Examiner referred to two Office Actions (Paper Nos. 15 and 18). The Manual of Patent Examining Procedure in Section 1208 states:

"Examiners may incorporate in the answer their statement of the grounds of rejection merely by reference to the final rejection (or a single other action on which it is based, MPEP § 706.07. Only those statements of grounds of rejection as appear in a *single* prior action may be incorporated by reference. An examiner's answer should not refer, either directly or indirectly, to more than one prior Office action. Statements of grounds of rejection appearing in actions other than the aforementioned single prior action should be *quoted* in the answer. The page and paragraph of the final action or other single action which it is desired to incorporate by reference should be

Appeal No. 2001-0032
Application 08/735,389

explicitly identified."

Accordingly it is

ORDERED that the application is remanded to the Examiner in order for the Examiner to place the examiner's answer in compliance with the Manual of Patent Examining Procedure or any other action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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