

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 20

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte EIJI HASUNUMA, HIDEKI GENJO, SHIGERU SHIRATAKE,
ATSUSHI HACHISUKA, and KOJI TANIGUCHI

Appeal No. 2001-0646
Application No. 09/227,935

ORDER REMANDING TO EXAMINER

Appellants filed an amendment on April 7, 2000 (Paper No. 11). The examiner has indicated in an advisory action filed April 18, 2000 that the amendment filed April 7, 2000, would be entered. A review of the file reveals that the amendment was not physically entered. Appropriate correction is required.

Additionally, on April 25, 2002, appellants filed an Information Disclosure Statement (IDS) (Paper No. 19). It is not clear from the record whether the examiner considered the IDS

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submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that this application be remanded to the examiner for: 1) physical entry of the amendments filed April 7, 2000 (Paper No. 11); 2) consideration of the Information Disclosure Statement (Paper No. 19); 3) appropriate notification by the examiner to appellants of such consideration; and 4) for such further action as may be appropriate.

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

BOARD OF PATENT APPEALS
AND INTERFERENCES

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