

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 24

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Ex parte THOMAS A. NOLTING,
RICHARD LaPEARL,
SHEILA NOONAN,
KAREN DION, and
RAYMOND X. LEUNG

Appeal No. 2002-1687
Application No. 09/188,712

ORDER REMANDING TO EXAMINER

An Information Disclosure Statement (IDS) was filed August 3, 2001 (Paper No. 20). It is not apparent from the record that the examiner properly considered the IDS submitted nor 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 the application is remanded to the Examiner for consideration of the IDS, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed

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promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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