

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

Paper No. 38

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TETSURO MOTOYAMA

Appeal No. 2003-0544
Application 08/883.492

ORDER REMANDING TO EXAMINER

Appellant filed on July 28, 2003, an Information Disclosure Statement (“IDS”) (Paper No. 37). It is not apparent from the record that the examiner considered the IDS that was submitted nor notified applicant in writing that it had been considered.

Accordingly, it is

ORDERED that the application is remanded to the examiner for the consideration of the IDS filed on July 28, 2003, notification to applicant of such consideration, and for any further actions as may be appropriate.

**Appeal No. 2003-0544
Application 08/883,492**

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

**BOARD OF PATENT APPEALS
AND INTERFERENCES**

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CRF:llf

