

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

Ex parte MICHAEL C. PARK

---

Appeal No. 97-0198  
Application 08/227,609<sup>1</sup>

---

ORDER REMANDING TO EXAMINER

---

On October 13, 1995, applicant filed an amendment (Paper No. 9) after the final rejection. There is no indication in the record of whether or not the examiner has considered the amendment. Applicant noted on page 2 of his appeal brief (Paper No. 10, filed October 20, 1995) that "[a]n amendment after final (which merely cancels claim 3) was filed recently; however, applicant has not as yet received an official response." Section 1207 of the Manual of Patent Examining Procedure (MPEP) (7th Ed., July 1998) states:

Note that 37 CFR 1.192(c)(4) requires a statement as to the status of any amendment filed subsequent to the final rejection, MPEP § 1206.

---

<sup>1</sup> Application for patent filed April 13, 1994.

Appeal No. 97-0198  
Application No. 08/227,609

Currently, the status of the amendment (Paper No. 9, filed October 13, 1995) is unclear and a response under MPEP § 1207 is required.

Accordingly, it is

ORDERED that the application is remanded to the examiner for clarification of the entry status of the amendment filed October 13, 1995, for notification to applicant in writing of the action taken concerning this amendment, and for any 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 the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

BY: \_\_\_\_\_  
DALE M. SHAW  
Program and Resource Administrator  
(703) 308-9797

DMS:svt

Appeal No. 97-0198  
Application No. 08/227,609

Elmer W. Galbi  
SEIKO TELECOMMUNICATIONS SYSTEM, INC.  
Suite 140  
1625 N.W. Amber Glen Court  
Beaverton, OR 97006