

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. 19

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JORAM AGAR

Appeal No. 2001-0260
Reexamination Control No. 90/004,943

ORDER REMANDING TO EXAMINER

Appellant filed on July 27, 2000, filed a Reply Brief (Paper No.16). This was later followed on October 19, 2000, by a Petition to Remand (Paper No. 18) requesting that the examiner consider a reference, which may have a bearing on the Appeal.

Accordingly, it is

ORDERED that the application be remanded to the Examiner to respond to the Reply Brief filed July 27, 2000, give apt consideration of the Petition filed October 19, 2000, and/or to take further action as may be appropriate.

Appeal No. 2001-0260
Reexamination Control No. 90/004,943

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

Craig R. Feinberg
Program and Resource Administrator
(703) 308-9797

Steven G. Morgan, Esq.
Madan, Mossman & Sriram, P.C.
2603 Augusta, Suite 700
Houston, TX 77057

CRF:llf