

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 31

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte STEPHEN L. CRANDELL

Appeal No. 2002-0845
Application 09/121,370

ON BRIEF

Before FRANKFORT, STAAB, and NASE, Administrative Patent Judges.
FRANKFORT, Administrative Patent Judge.

FINAL ORDER

This application has been returned to us for final decision following remand thereof to the examiner. A comprehensive listing of the current status of the claims is as follows:

A) Claims 1, 2, 6, 13, 23, 27 and 37 through 40 stand rejected;

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B) Claims 3 through 5, 7, 10 through 12, 14, 15, 21, 22, 24 through 26 and 29 through 36 stand allowed;

C) Claims 8, 9 and 28 have been withdrawn from further consideration by the examiner; and

D) Claims 16 through 20 have been canceled.

In the decision mailed December 18, 2002 (Paper No. 26), we sustained the examiner's rejection of claims 38 through 40 under 35 U.S.C. § 112, second paragraph, as being indefinite; the rejection of claims 1, 2, 23, 37 and 38 under 35 U.S.C. § 102(b) as being anticipated by Fix (U.S. Patent No. 2,205,522); and the examiner's rejections of claims 6, 13 and 27 under 35 U.S.C. § 103(a).

Following completion of proceedings before the examiner, we now enter an order whereby we make our decision dated December 18, 2002 Final. The time for appellant to seek judicial review of that decision in accordance with 35 U.S.C. § 141 or § 145 runs from the mailing date of this order.

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Appellant's time for seeking judicial review may not be extended under 37 CFR § 1.136(a). See 37 CFR § 1.304(a).

FINAL ORDER

CHARLES E. FRANKFORT)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
LAWRENCE J. STAAB)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
JEFFREY V. NASE)	
Administrative Patent Judge)	

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