

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GIAN LUCA CASTIGLIONI, CARLO FUMAGALLI,
and ROBERTO PIROLA

Appeal 2008-2933
Application 10/488,691
Technology Center 1600

Mailed: July 29, 2008

Before DALE M. SHAW, *Chief Appeals Administrator*.
SHAW, *Chief Appeals Administrator*.

ORDER DISMISSING APPEAL

On October 2, 2006, Appellants filed a Notice of Appeal. On July 23, 2008, Appellants filed a Request for Continued Examination (RCE) under 37 CFR ' 1.114. Pursuant to the notice entitled ARequest for Continued Examination Practice and Changes to Provisional Application Practice,@ 65 Fed. Reg. 50092, 50095 (Aug. 16, 2000), and the provisions of 37 CFR ' 1.114(d), a request for continued examination under 37 CFR

Appeal 2008-2933
Application 10/488,691

' 1.114 filed after appeal has been taken, but prior to a decision on the appeal, A will be treated as a request to withdraw the appeal and to reopen prosecution of the application before the examiner.@

Accordingly, it is

ORDERED that the appeal filed October 2, 2006 is dismissed. The application is being returned to the Examiner for further action as may be appropriate.

If there are any questions pertaining to this dismissal, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

clj

FISHER, CHRISTEN & SABOL
1120 20TH STREET, NW, SOUTH TOWER, SUITE 750
WASHINGTON, DC 20036