

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.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. 38

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GEORGE C. TUNIS, III,
WILLIAM H. SEEMANN, III,
and
PASS CHRISTIAN

Appeal No. 2001-0775
Application No. 08/612,251

ON BRIEF

Before KRATZ, TIMM, and PAWLIKOWSKI, *Administrative Patent Judges*.

PAWLIKOWSKI, *Administrative Patent Judge*.

ON REQUEST FOR REHEARING

Pursuant to the provision of 37 CFR § 1.197(b) (amended December 1, 1997), appellants have submitted a Request for Rehearing (hereafter "Request") of our decision dated January 24, 2003.

In appellants' request, appellants state that there is no mention within Seemann of using a portion of the bag as a mold for the article. (Request, page 2.)

Appellants also state that they appreciate the Board's point that the bag disclosed in Seemann is rigid enough in maintaining its internal channel structure to be interpreted as a mold in

that without a peel layer, the imprint of the distribution channel is left as a textured surface on the article. (Request, page 2.) As stated on page 4 of our Decision, appellants' claims do not distinguish from such a structure as set forth in Seemann. In the Request, appellants propose an amendment to claim 12 to emphasize that their method employs at least a portion of the vacuum bag as a mold to contour the shape of the article and not just to impose a texture on the article's surface. However, after a decision on appeal, amendments can only be made as provided in Section 1.198 and 1.981, or to carry into effect a recommendation under Section 1.196 or Section 1.977. See 37 CFR § 1.116(d) (2000).

In view of the above, we do not find in the Request any argument convincing us of error in the conclusions we reached in our Decision. Accordingly, the appellants' Request for Rehearing is denied.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

DENIED

PETER F. KRATZ)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
CATHERINE TIMM)	
Administrative Patent Judge)	APPEALS AND
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)	INTERFERENCES
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BEVERLY A. PAWLIKOWSKI)	
Administrative Patent Judge)	

BAP:hh

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