

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**IN RE FRANCIS Y.F. LEE**

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2012-1296  
(Serial No. 10/850,072)

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Appeal from the United States Patent and Trademark  
Office, Board of Patent Appeals and Interferences.

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**ON MOTION**

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Before LOURIE, SCHALL and DYK, *Circuit Judges*.

PER CURIAM.

**O R D E R**

The Director of the United States Patent and Trade-  
mark Office moves without opposition to remand this  
matter to the Board of Patent Appeals and Interferences  
to consider evidence of secondary considerations in the  
first instance.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion to remand is granted.
- (2) Each side shall bear its own costs.

IN RE LEE

2

FOR THE COURT

JUL 26 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Christopher N. Sipes, Esq.  
Raymond T. Chen, Esq.

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**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

JUL 26 2012

JAN HORBALY  
CLERK