NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

In Re DAVID J. GOMEZ,
Appellant

2026-1766

Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in No. 17/375,841.

ON MOTION

Before DYK, MAYER, and STARK, *Circuit Judges*.

DYK, *Circuit Judge*.

O R D E R

Upon consideration of the joint motion to remand for further proceedings, stating the Patent Trial and Appeal Board relied on a reference that was not prior art in rejecting certain patent application claims,

IT IS ORDERED THAT:

(1) The motion is granted. The case is remanded to the United States Patent and Trademark Office for further consideration consistent with the motion and this order.

(2) Each side shall bear its own costs.

FOR THE COURT

Jarrett B. Perlow
Clerk of Court

September 21, 2026
Date

ISSUED AS A MANDATE: September 21, 2026