

NOTE: This order is nonprecedential.

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

**In re: LIHUA ZHU, YONGJUN WU, GARY J.
SULLIVAN,
*Appellants***

2021-1761

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 14/455,856.

ON MOTION

Before LOURIE, BRYSON, and TARANTO, *Circuit Judges*.
BRYSON, *Circuit Judge*.

O R D E R

The United States Patent and Trademark Office (PTO) moves unopposed to vacate the decision of the Patent Trial and Appeal Board and to remand this case to the PTO for “reconsider[ation of] whether the claims are directed to an improvement in computer functionality, especially in light of this [c]ourt’s recent case law.” Mot. at 2.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted. The decision of the Patent Trial and Appeal Board is vacated, and the case is remanded to the PTO for further proceedings consistent with the motion and this order.

(2) Each side shall bear its own costs.

FOR THE COURT

September 13, 2021

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court

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ISSUED AS A MANDATE: September 13, 2021