

**THIS OPINION WAS NOT WRITTEN FOR PUBLICATION**

This opinion was not written for publication and is not binding precedent of the Board.

Paper 37

Filed by:

Interference Trial Section Merits Panel  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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DAVID J. VINING

Junior Party  
(Application 08/734,427),

v.

CARL G. COIN

Senior Party  
(Patent 5,458,111).

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Patent Interference No. 104,366

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Before: McKELVEY, Senior Administrative Patent Judge, SCHAFER and LEE, Administrative Patent Judges.

SCHAFER, Administrative Patent Judge

**JUDGMENT PURSUANT TO 37 CFR § 1.662**

Upon consideration of the request of senior party, CARL G. COIN, for entry of adverse judgment (Paper 33), it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 41), is awarded against the senior party CARL G. COIN;

FURTHER ORDERED that senior party, CARL G. COIN, is not entitled to a patent containing claims 1-12 (corresponding to Count 1) of Patent 5,458,111; and

FURTHER ORDERED that a copy of this judgment be made of record in Application 08/734,427 and in the file of Patent 5,458,111.

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FRED E. McKELVEY )  
Senior Administrative Patent Judge )  
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\_\_\_\_\_) BOARD OF PATENT  
RICHARD E. SCHAFER ) APPEALS AND  
Administrative Patent Judge ) INTERFERENCES  
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JAMESON LEE )  
Administrative Patent Judge )  
)  
)

cc (via Fax):

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