

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

SHIH-YAW LAI, JOHN R. WILSON, GEORGE W. KNIGHT,
JAMES C. STEVENS and PAK-WING STEVE CHUM
Junior Party,¹

v.

SHIH-YAW LAI, JOHN R. WILSON, GEORGE W. KNIGHT
and JAMES C. STEVENS
Junior Party²

v.

JO ANN M. CANICH

¹ Application 07/776,130, filed October 15, 1991, now Patent No. 5,272,236, issued December 21, 1993. Assigned to the Dow Chemical Co.

² Reissue Application No. 08/305,631, filed September 14, 1994. Assigned to the Dow Chemical Co. Accorded benefit Application 07/776,130, filed October 15, 1991, now Patent No. 5,272,236, issued December 21, 1993.

Interference No. 103,404

Senior Party³

Patent Interference No. 103,404

Before URYNOWICZ, DOWNEY and METZ, Administrative Patent Judges.

DOWNEY, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 C.F.R. § 1.662(a)

Canich, the senior party, filed, pursuant to 37 C.F.R. § 1.662(a), a request for entry of an adverse judgment as to all her claims which correspond to the count in this interference (Paper No. 323).

Accordingly, JUDGMENT as to the subject matter of the count in issue is hereby awarded to Shih-Yaw Lai, John R. Wilson, George W. Knight, James C. Stevens and Pak-Wing S. Chum, the junior party and judgment is awarded against Jo Ann M. Canich, the senior party. Accordingly, on this record, Canich, the senior party, is not entitled to a patent containing claims 15 and 16 corresponding to the count and Lai et al. the junior party is entitled to their patent containing claims 1-38 corresponding to the count, and their reissue application containing claims 1, 4-8, 10, 11, 13-15, 17-37,

³ Application 08/149,268, filed November 8, 1993. Accorded benefit Application Nos. 07/844,813, filed March 2, 1992; 07/581,841, filed September 13, 1990, now Patent No. 5,096,867, issued March 17, 1992; and 07/533,245, filed June 4, 1990, now Patent No. 5,055,438, issued October 8, 1991.

Interference No. 103,404

39, 44, 48, 81-84 and 86-130 corresponding to the count.

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STANLEY M. URYNOWICZ, JR.)	
Administrative Patent Judge)	
)	
)	
)	BOARD OF PATENT
MARY F. DOWNEY)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
ANDREW H. METZ)	
Administrative Patent Judge)	

Interference No. 103,404

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