

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 37

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JEFFREY D. JOHNSON and WILLIAM J. RUTTER
and JEFFREY C. EDMAN

Junior Party,¹

v.

AXEL ULLRICH and FRANK ALVES

Senior Party.²

Interference No. 103,826

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

¹ Application No. 08/292,299, filed August 16, 1994. Accorded Benefit of U.S. Application No. 08/077,254, filed June 14, 1993, now abandoned. Assignors to The Regents of the University of California, a California Corporation.

² Application No. 08/153,397, filed November 16, 1993. Assignor to Max Planck Gesellschaft Zur Förderung der Wissenschaften.

Interference No. 103,826

SOFOCLEOUS, Administrative Patent Judge.

JUDGMENT

Johnson et al., the junior party, have filed a request for entry of an adverse judgment. Pursuant to 37 CFR § 1.662(a), judgment as to the subject matter of the count in issue is hereby awarded to Axel Ullrich and Frank Alves, the senior party. Accordingly, Jeffrey D. Johnson, William J. Rutter and Jeffrey C. Edman are not entitled to a patent containing claims 15 and 40.

STANLEY M. URYNOWICZ, JR.)	
Administrative Patent Judge)	
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)	
MICHAEL SOFOCLEOUS)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
)	
)	
MARY F. DOWNEY)	
Administrative Patent Judge)	

Interference No. 103,826

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