

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(2) is not binding precedent of the Board.

JUDGMENT

Paper No. 14

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DAVID P. CREELY, SCOTT D. HAUSER, DEAN J. WELSCH,
and GWEN G. KRIVI

Junior Party,¹

v.

BING K. LAM, JOHN F. PENROSE and K. FRANK AUSTEN

Senior Party.²

Patent Interference No. 103,828

Before RONALD H. SMITH, SOFOCLEOUS and CAROFF, Administrative
Patent Judges.

CAROFF, Administrative Patent Judge.

¹ Application 08/254,354, filed June 3, 1994.

² Application 08/683,117, filed July 16, 1996. Accorded benefit of Application 08/246,991, filed May 20, 1994.

JUDGMENT

Lam et al., the senior party, has filed a request for entry of an adverse judgment pursuant to 37 CFR § 1.662(a). (Paper No. 13). Accordingly, judgment as to the subject matter of the sole count in issue is hereby awarded to Creely et al., the junior party.

Lam et al., are not entitled to a patent containing their claims 1-7, 16-19, 29-32 and 34-39 corresponding to the count.

On this record, Creely et al., are entitled to a patent containing their claims 1-11 and 21-24 corresponding to the count.

Administrative Patent Judge)
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) BOARD OF PATENT
Administrative Patent Judge) APPEALS AND
) INTERFERENCES
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Interference No. 103,828

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MLC/jrg