

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Box Interference

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DAVID WALLACH and CORD BRAKEBUSCH,
Junior Party,¹

v.

CRAIG A. SMITH,
Senior Party,²

Patent Interference No. 103,854

HEARD: July 25, 2000

CAROFF, DOWNEY, and ELLIS, Administrative Patent Judges.

ELLIS, Administrative Patent Judge.

¹ Application 07/925,687, filed August 7, 1992, now Patent No. 5,478,925, issued December 26, 1995. Accorded Benefit of Israel, Serial No. 99120, filed August 7, 1991. Assignor to Yeda Research and Development Co., Ltd.

² Application 08/406,824, filed March 20, 1995. Accorded Benefit of Application 08/255,849, filed June 8, 1994; Application 07/860,710, filed March 30, 1992, all abandoned; and Application 07/523,635, filed May 10, 1990, now Patent No. 5,395,760, issued March 7, 1995.

CORRECTED JUDGMENT

On August 11, 2000, this merits panel issued a final judgment against DAVID WALLACH and CORD BRAKEBUSCH, the junior party, and in favor of CRAIG A. SMITH, the senior party. Said judgment contained an inadvertent typographical error in the recitation of the claims of CRAIG A. SMITH, corresponding to the count.

Accordingly, for purposes of clarification, judgment is herein entered against DAVID WALLACH and CORD BRAKEBUSCH, who are not entitled to their U.S. Patent 5,478,925, containing claims 1 through 7, corresponding to the count.

On this record, judgment is entered in favor of CRAIG A. SMITH, who is entitled to a patent containing claims 15 through 22 and 27 through 34 and 36 through 39, corresponding to the count.

MARC L. CAROFF)
Administrative Patent Judge)
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MARY F. DOWNEY) BOARD OF PATENT
Administrative Patent Judge) APPEALS AND
) INTERFERENCES
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)
JOAN ELLIS)
Administrative Patent Judge)

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Interference No. 103,854

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