

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 26

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MICHAEL C. KIEFER and FRANK R. MASIARZ

Junior Party,¹

v.

SHUNICHI SHIMASAKI and NICHOLAS C. LING

Senior Party.²

Interference No. 103,907

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

¹ Application No. 08/257,935, filed June 10, 1994. Accorded Benefit of Application Nos. 07/577,392, filed August 31, 1990 and 07/574,613, filed August 28, 1990, both abandoned.

² Application 08/110,107, filed August 20, 1993. Accorded Benefit of Application No. 07/562,126, filed August 3, 1990.

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SOFOCLEOUS, Administrative Patent Judge.

Interference No. 103,907

JUDGMENT

Kiefer et al., the junior party, have filed a abandonment of the contest which, pursuant to 37 CFR § 1.662(a), is treated as a request for entry of an adverse judgment as to all claims which correspond to the count.

Accordingly, judgment as to the subject matter of the count in issue is hereby awarded to Shunichi Shimasaki and Nicholas C. Ling, the senior party. Michael C. Kiefer and Frank R. Masiarz, the junior party, are not entitled to a patent containing claims 1, 2, 4, 6 to 12, 14, 15, 17 to 19, 21 and 22 corresponding to the count.

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. 103,907

Attorneys for Kiefer et al.:

Amy L. Collins
Banner & Wicuff, Ltd.
1001 G St., N.W.
Suite 1100
Washington, DC 20001-4597

Attorneys for Shimasaki et al.:

Fitch, Even, Tabin & Flannery
135 South LaSalle St.
Suite 900
Chicago, IL 60603-4277