

Trial Section Merits Panel  
BOX INTERFERENCE  
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Paper No. 52

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

ROBERT J. NELSON  
and DONALD G. RAMEY  
(5,610,501),

Junior Party,

v.

EINAR V. LARSEN  
(08/895,833),

Senior Party.

Interference No. 104,216

Before SCHAFER, LEE, and TORCZON, Administrative Patent Judges.

TORCZON, Administrative Patent Judge.

**JUDGMENT**

(PURSUANT TO 37 CFR § 1.640(e))

INTRODUCTION

In Paper No. 51 (mailed 18 August 2000), each party was placed under an order pursuant to 37 CFR § 1.640(d)(1) to show cause why judgment should not be entered against it. Under 37 CFR § 1.640(e), judgment is entered against a party subject

to an order to show cause unless the party responds within twenty days. Twenty days have passed without a response from either party. Ms. Yolunda Townes of the Trial Section's staff confirmed with counsel on 12 September 2000 that neither intends to respond. Consequently, judgment is entered against both parties.

ORDER

Upon consideration of the record of this interference, it is-

ORDERED that judgment as to the count is awarded against junior party Nelson;

FURTHER ORDERED that Nelson is not entitled to a patent containing claims 1-8 of Nelson's 5,610,501 patent, which correspond to the count;

FURTHER ORDERED that judgment as to the count is awarded against senior party Larsen;

FURTHER ORDERED that Larsen is not entitled to a patent containing claims 26-30 of Larsen's 08/895,833 patent application, which correspond to the count;

FURTHER ORDERED that the preliminary statements be returned to the parties; and

FURTHER ORDERED that a copy of this decision be given a paper number and be entered in the administrative record of

Interference No. 104,216  
Nelson v. Larsen

Paper No. 52  
Page 3

Nelson's 5,610,501 patent and of Larsen's 08/895,833 patent  
application.

RICHARD E. SCHAFER  
Administrative Patent Judge

JAMESON LEE  
Administrative Patent Judge

RICHARD TORCZON  
Administrative Patent Judge

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TRIAL SECTION

Interference No. 104,216  
Nelson v. Larsen

Paper No. 52  
Page 4

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