

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 66

Filed by: Trial Section Motions Panel
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

THORSTEN FROST, HEINZ SCHILDE,
and MANFRED JANSEN,
Junior Party,
(Patent 5,932,329)

v.

F. EUGENE WOODARD and LOUIS C. LAU,
Senior Party,
(Application 09/029,039)

Patent Interference 104,595

Before: McKELVEY, Senior Administrative Patent Judge, and
SPIEGEL and GARDNER-LANE, Administrative Patent Judges.

SPIEGEL, Administrative Patent Judge.

FINAL JUDGMENT

Junior party Frost was ordered to show cause by October 17, 2001 why judgment should not be entered against it pursuant to 37 CFR § 1.640(d)(3) and (e) (Paper 65).

Junior party Frost did not file a response.

Therefore, on this record, it is

ORDERED that judgment on priority as to Count 1 (Paper 1, p. 5), the sole count in the interference, is awarded against junior party THORSTEN FROST, HEINZ SCHILDE and MANFRED JANSEN.¹

FURTHER ORDERED that junior party THORSTEN FROST, HEINZ SCHILDE and MANFRED JANSEN is not entitled to a patent containing claims 1-11 (corresponding to Count 1) of Patent 5,932,329, granted August 3, 1999, based on application 08/698,738, filed August 16, 1996.

FURTHER ORDERED that a copy of this paper shall be made of record in files of U.S. Patent 5,932,329 and application 09/029,039.

FRED E. McKELVEY, Senior)
Administrative Patent Judge)
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CAROL A. SPIEGEL)
Administrative Patent Judge)
)
)
)

SALLY GARDNER-LANE)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS AND
INTERFERENCES

¹ Attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

104,595
cc: (via fax and First Class Mail)

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