

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entered today is not binding precedent of the Board.

Paper 17

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

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DONALD A. **BANSLEBEN**, STEFAN K. FRIEDRICH, TODD R. YOUNKIN,
ROBERT H. GRUBBS, CHUNMING WANG AND ROBERT T. LI
Junior Party
(U.S. Patent Application 09/568,656),

v.

LYNDA K. **JOHNSON**, ALISON M. A. BENNETT, LIN WANG,
ANJU PARTHASARATHY, ELISABETH HAUPTMAN,
ROBERT D. SIMPSON, JERALD FELDMAN,
EDWARD B. COUGHLIN,
AND STEVEN D. ITTEL
Senior Party,
(U.S. Application No. 09/417,323).

Patent Interference No. **105,000** (MPT)

Before: SPIEGEL, LANE and TIERNEY, Administrative Patent Judges.

entered against Bansleben. 37 C.F.R. §1.662.

Upon consideration of the record, it is:

ORDERED that judgment on priority as to Count 1 (Notice Declaring Interference, Paper No. 1, page 6), the sole count in the interference, is awarded *against* Junior Party Bansleben.

FURTHER ORDERED that Junior Party Bansleben is not entitled to a patent containing claims 1, 12-37 and 210-220 of Bansleben et al., U.S. Patent Application 09/568,656 as these claims correspond to Count 1.

FURTHER ORDERED that a copy of this final decision shall be placed and given a paper number in the file of Johnson et al., U.S. Application No. 09/417,323 and Bansleben et al., U.S. Patent Application 09/568,656.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

CAROL A. SPIEGEL
Administrative Patent Judge

SALLY GARDNER-LANE

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BOARD OF PATENT
APPEALS

cc (via Facsimile):

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