

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 14

By: Trial Section Merits Panel
Box Interference
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Filed: April 3, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Carol A. Spiegel)

PREET LAL, HENRY YUE, NEIL C. CORLEY,
KARL J. GUEGLER and MARIAH BAUGHN

Junior Party
Patent 6,165,767

v.

GORDON G. WONG, HILARY F. CLARK,
KIM FECHTEL and MICHAEL J. AGOSTINO

Senior Party
Application 09/311,021

Patent Interference No. 105,080

Before: SCHAFFER, TORCZON and SPIEGEL, Administrative Patent Judges.
SPIEGEL, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of Wong's REQUEST FOR ENTRY OF ADVERSE JUDGMENT UNDER 37 C.F.R. § 1.662 (Paper 13), it is ORDERED that judgment on priority as to Count 1 (Paper 1, p. 5), the sole count

in the interference, is awarded against senior party GORDON G. WONG, HILARY F. CLARK, KIM FECHTEL and MICHAEL J. AGOSTINO;

FURTHER ORDERED that senior party GORDON G. WONG, HILARY F. CLARK, KIM FECHTEL and MICHAEL J. AGOSTINO is not entitled to a patent containing claims 1, 3-5, 14-15, 17-18, 21 and 23 (corresponding to Count 1) of U.S. application 09/311,021, filed May 13, 1999, as a continuation-in-part of U.S. application 09/248,059, filed February 10, 1999, which claimed priority to U.S. provisional application 60/075,118, filed February 11, 1998;

FURTHER ORDERED that a copy of this paper shall be made of record in the files of U.S. application 09/311,021 and of U.S. Patent 6,165,767; and

FURTHER ORDERED that if there is a settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

_____)	
RICHARD E. SCHAFER)	
Administrative Patent Judge)	
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_____)	BOARD OF PATENT
RICHARD TORCZON)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES
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_____)	
CAROL A. SPIEGEL)	
Administrative Patent Judge)	

105,080
(send via fax and first-class mail):

Lal (real party-in-interest:
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