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NONPRECEDENTIAL

Paper No. 46

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

MARK S. CHEE
and **ROBERT J. LIPSHUTZ**
(5,795,716)

and

MARK S. CHEE
(5,974,164),

Junior Parties,

v.

RADOJE T. DRMANAC
and **RADOMIR B. CRKVENJAKOV**
(09/358,875),

Senior Party.

Interference No. 104,552

MAILED

NOV 16 2001

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

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

TORCZON, Administrative Patent Judge.

JUDGMENT
(PURSUANT TO 37 CFR § 1.662(a))

Senior party Drmanac has abandoned "the contest pursuant to 37 C.F.R. §1.662(a)"
(Paper No. 45). We accordingly enter judgment against Drmanac as provided in that rule.

ORDER

Upon consideration of DRMANAC ABANDONMENT OF CONTEST (Paper No. 45), it is—

ORDERED that judgment on priority as to Count 2, the sole count, is awarded against senior party Drmanac;

FURTHER ORDERED that Drmanac is not entitled to a patent containing claims 1-18 of Drmanac application 09/358,875, which correspond to Count 2; and

FURTHER ORDERED that a copy of this decision be given a paper number and be entered in the administrative record of Chee patents 5,795,716 and 5,974,164 and of Drmanac application 09/358,875.


RICHARD E. SCHAFER
Administrative Patent Judge


RICHARD TORCZON
Administrative Patent Judge


CAROL A. SPIEGEL
Administrative Patent Judge

BOARD OF PATENT
APPEALS AND
INTERFERENCES

INTERFERENCE
TRIAL SECTION

Interference No. 104,552
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