

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 23

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

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

IRAJ RAHMIN, ALBIN HUSS, Jr., DARIA N. LISSY,
DONALD J. KLOCKE and WERNER O. HAAG,

Junior Party,
(Patent 5,449,851),

v.

DONALD H. POWERS, BRENDAN D. MURRAY,
and BRUCE H. C. WINQUIST,

Senior Party
(Application 07/711,044).

Patent Interference No. 104,591

Before: McKELVEY, Senior Administrative Patent Judge, and
SCHAFER and LEE, Administrative Patent Judges.

McKELVEY, Senior Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of a paper filed by Rahmin and styled 37
CFR 1.662(a) REQUEST FOR ENTRY OF AN ADVERSE JUDGMENT (Paper 22),
it is

ORDERED that judgment on priority as to Count 2
(Paper 19, page 3), the sole count in the interference, is

awarded against junior party IRAJ RAHMIN, ALBIN HUSS, Jr., DARIA N. LISSY, DONALD J. KLOCKE and WERNER O. HAAG.

FURTHER ORDERED that junior IRAJ RAHMIN, ALBIN HUSS, Jr., DARIA N. LISSY, DONALD J. KLOCKE and WERNER O. HAAG is not entitled to a patent containing claims 58-103 (corresponding to Count 2) of U.S. Patent 5,449,851, granted 12 September 1995, based on application 08/049,586, filed 19 April 1993.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 07/711,044 and U.S. Patent 5,449,851.

<u>FRED E. MCKELVEY, Senior</u>)	
Administrative Patent Judge)	
)	
)	
<u>RICHARD E. SCHAFER</u>)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
)	
<u>JAMESON LEE</u>)	
Administrative Patent Judge)	

104,591
cc (via Federal Express):

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