

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 30

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

ANTHONY JAMES TAYLOR,
and PHILIP JOHN NEALE
(Patent 6,013,245),

v.

ROBERT K. SCHULTZ,
DAVID W. SCHULTZ, and ROBERT A. MORIS
Senior Party,
(Application 09/444,296).

Patent Interference No. 104,636

Before SCHAFER, GARDNER-LANE, and TIERNEY, Administrative Patent Judges.

GARDNER-LANE, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Junior party Taylor has requested entry of adverse judgment under 37 CFR § 1.662(a) as to the sole count in the interference (Paper 29).

ORDER

Upon consideration of the record of the interference, it is ORDERED that judgment on priority as to Count 1, the sole count in the interference, is awarded against junior party ANTHONY JAMES TAYLOR and PHILIP JOHN NEALE;

FURTHER ORDERED that junior party ANTHONY JAMES TAYLOR and PHILIP JOHN NEALE, is not entitled to a patent containing claims 1-13 of US patent 6,013,245, which correspond to Count 1; and

FURTHER ORDERED that a copy of this decision be given a paper number and be entered in the administrative records of Taylor's 6,013,245 patent and Schultz's 09/444,296 application.

<u>RICHARD E. SCHAFER</u>)	
Administrative Patent Judge)	
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)	
<u>SALLY GARDNER-LANE</u>)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
)	
)	
)	
<u>MICHAEL P. TIERNEY</u>)	
Administrative Patent Judge)	

cc: (via facsimile and first class mail)

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