

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 30

Filed by: Interference Trial Section Merits Panel
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Filed:
14 March 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DOUGLAS RODENBERG
Junior Party,
(Patent 5,783,528),

v.

RANDALL KRINKER
Senior Party
(Application 09/214,717).

Patent Interference No. 104,666

Before: SCHAFER, LEE and SPIEGEL, Administrative Patent Judges.
SCHAFER, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Senior party Krinker has requested entry of Adverse Judgment. Paper 28. A settlement agreement has been filed and made of record in the interference file.

Accordingly , it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 5), is awarded against the senior party, RANDALL KRINKER;

FURTHER ORDERED that senior party, RANDALL KRINKER, is not entitled to a patent containing claims 18-23, 28-30 and 33 (corresponding to Count 1) of Application 09/214,717; and

FURTHER ORDERED that a copy of this judgment be made of record in Application 09/214,717 and in the file of Patent 5,783,528.

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

Date: March 14, 2002
Arlington, VA

(via Facsimile)

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