

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 69

Filed by: Interference Trial Section Merits Panel  
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Filed:  
August 23, 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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ROBERT G.G. HOLMES, ADRIAN J. BULL, ADRIAN M. SIMPER,  
JOHN E.A. SHAW, DAVID E. BRENNAN,  
RICHARD I. SIMPSON and LYN WESTWOOD,

**FAXED**

Junior Party,  
(Application 08/817,255),

**AUG 23 2002**

v.

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

PAUL YAGER, JAMES P. BRODY, MARK R. HOLL,  
FRED K. FORSTER and PAUL C. GALAMBOS,

Senior Party,  
(Patent 5,932,100).

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Patent Interference No. 104,668

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Before: SCHAFFER, TORCZON and GARDNER-LANE, Administrative Patent Judges.

SCHAFFER, Administrative Patent Judge.

**JUDGMENT PURSUANT TO 37 CFR § 1.662**

Holmes has filed a request for entry of an adverse judgment under 37 CFR § 1.662(a). Paper 68. Accordingly, it is

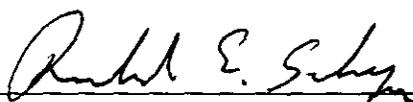
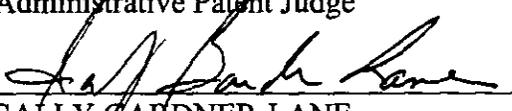
ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p.5), is awarded against the junior party, ROBERT G.G. HOLMES, ADRIAN J. BULL, ADRIAN M.

SIMPER, JOHN E.A. SHAW, DAVID E. BRENNAN, RICHARD I. SIMPSON and LYN WESTWOOD;

FURTHER ORDERED that junior party, ROBERT G.G. HOLMES, ADRIAN J. BULL, ADRIAN M. SIMPER, JOHN E.A. SHAW, DAVID E. BRENNAN, RICHARD I. SIMPSON and LYN WESTWOOD, is not entitled to a patent containing claims 1-55 (corresponding to Count 1) of Application 08/817,255;

FURTHER ORDERED that if there be a settlement agreement, which has not been filed, that the parties are advised of the requirement to file a copy of the agreement (35 U.S.C. § 135(c)); and

FURTHER ORDERED that a copy of this judgment be made of record in Application 08/817,255 and in the file history of Patent 5,932,100.

	)	
RICHARD E. SCHAFER	)	
Administrative Patent Judge	)	
	)	
	)	BOARD OF PATENT
RICHARD TORCZON	)	
Administrative Patent Judge	)	APPEALS AND
	)	
	)	INTERFERENCES
SALLY GARDNER-LANE	)	
Administrative Patent Judge	)	

cc (by Fax):

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