

BAS

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 34

Filed by: Trial Section Merits Panel
Box Interference
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Filed
12 March 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

W. FRENCH ANDERSON, R. MICHAEL BLAESE
and STEVEN A. ROSENBERG,

Junior Party,
(Patent 5,399,346),

v.

RICHARD SELDEN,

Senior Party
(Application 08/465,582),

Patent Interference 104,710 (McK)

MAR 12 2002
PATENT OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Before: McKELVEY, Senior Administrative Patent Judge, and
GARDNER-LANE and MEDLEY, Administrative Patent Judges.

McKELVEY, Senior Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of the REQUEST FOR ENTRY OF ADVERSE
JUDGMENT (Paper 33) filed by Seldon, it is

ORDERED that judgment on priority as to Count 1
(Paper 1, page 6), the sole count in the interference, is awarded
against senior party RICHARD SELDEN.

FURTHER ORDERED that senior party RICHARD SELDEN is not entitled to a patent containing claim 36 (corresponding to Count 1) of application 08/465,582, filed 5 June 1995.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/465,582 and U.S. Patent 5,399,346.

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_____)
FRED E. MCKELVEY, Senior)
Administrative Patent Judge)
Sally Gardner Lane
_____)
SALLY GARDNER-LANE) BOARD OF PATENT
Administrative Patent Judge) APPEALS AND
INTERFERENCES
Sally C. Medley
_____)
SALLY C. MEDLEY)
Administrative Patent Judge)

103,710
cc (via First Class Mail)

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