

BHS

The opinion in support of the decision being entered today is not binding precedent of the Board

Paper No. 20

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

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

WILBUR D. PRICER,
Junior Party,
(Patent 5,222,109),

v.

ELIYAHOU HARARI,
Senior Party,
(Application 08/154,162).

FAXED

APR 30 2002

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

Patent Interference No. 104,780

Before, SCHAFFER, TORCZON and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Upon consideration of the RESPONSE TO ORDER TO SHOW CAUSE
(Paper 19), it is

ORDERED that judgment on priority as to Count 1 (Paper 1, page 5), the sole count in the interference, is awarded against junior party WILBUR D. PRICER.

FURTHER ORDERED that junior party WILBUR D. PRICER is not entitled to a patent containing claims 1-3, 9-11 and 16 (corresponding to Count 1) of U.S. patent 5,222,109.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/154,162 and U.S. Patent 5,222,109.


RICHARD E. SCHAFER)
Administrative Patent Judge)


RICHARD TORCZON)
Administrative Patent Judge)


SALLY Q. MEDLEY)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS AND
INTERFERENCES

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