

**THIS OPINION WAS NOT WRITTEN FOR PUBLICATION
AND IS NOT BINDING PRECEDENT OF THE BOARD**

Filed by: Trial Section Merits Panel
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Paper No. 35

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DONALD A. LACE, SR.

Junior Party,
(Patent 5,336,845)¹,

v.

MELVIN A. LACE

Senior Party
(Application 08/300,457)².

FAXED

MAR 20 2003

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

Patent Interference No. 104,816

Before LEE, MEDLEY and TIERNEY, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment

¹ Based on application 08/145,489, filed October 29, 1993. Accorded the benefit of application 08/000,396, filed January 4, 1993. The real party in interest is Actodyne General, Inc.

² Filed September 2, 1994. Accorded the benefit of application 08/000,202, filed January 4, 1993; application 07/900,485, filed June 18, 1992; application 07/764,346, filed September 23, 1991; and application 07/597,899, filed October 10, 1990.

Interference No. 104,816
Lace, Sr. v. Lace

On March 17, 2003, senior party Lace filed a request for entry of adverse judgment, stating (Paper No. 34):

Per agreement by the Parties, Senior Party, Melvin A. Lace, request that an Entry of Adverse Judgment be entered against senior party, Melvin Lace.

The request is **granted**.

It is

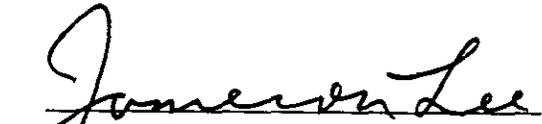
ORDERED that judgment as to the subject matter of Count 1 is hereby entered against senior party MELVIN A. LACE;

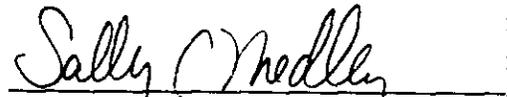
FURTHER ORDERED that senior party MELVIN A. LACE is not entitled to its application claims 14, 15 and 16 which correspond to Count 1; and

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and 37 CFR § 1.666; and

FURTHER ORDERED that a copy of this judgment be filed in the respective involved application or patent of the parties.

Interference No. 104,816
Lace, Sr. v. Lace


Jameson Lee)
Administrative Patent Judge)


Sally C. Medley)
Administrative Patent Judge)


Michael P. Tierney)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS
AND
INTERFERENCES

Interference No. 104,816
Lace, Sr. v. Lace

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