

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entered today is not binding precedent of the Board.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
Mail Stop Interference
P.O. Box 1450
Alexandria, VA 22313-1450
Tel: 703-308-9797
Fax: 703-305-0942

Entered: 17 June 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JAMES K. TAILLON and FRANK R. REIDELBERGER
Junior Party,
(Patent 5,573,414),

v.

ALFRED THIARD-LAFORET and WILIBALD ZERLIK
Senior Party,
(Application 08/966,368).

Patent Interference No. 105,120

Before LEE, GARDNER LANE, and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

JUDGMENT-RULE 662

On 10 June 2004 the board received from Thiard-Laforet's request for Adverse Judgment in which Thiard-Laforet requests and agrees to entry of adverse judgment under 37 CFR § 1.662(a) (Paper 33). Accordingly, it is

ORDERED that judgment on priority as to Count 1 (Paper 1 at 5) is awarded against senior party ALFRED THIARD-LAFORET and WILIBALD ZERLIK.

FURTHER ORDERED that senior party ALFRED THIARD-LAFORET and WILIBALD ZERLIK is not entitled to a patent containing claims 24-44 (corresponding to Count 1) of application 08/966,368.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/966,368 and U.S. Patent 5,573,414.

JAMESON LEE
Administrative Patent Judge

SALLY G. GARDNER LANE
Administrative Patent Judge

SALLY C. MEDLEY
Administrative Patent Judge

)
)
)
)BOARD OF PATENT
) APPEALS AND
) INTERFERENCES
)
)
)
)

cc (via e-mail):

Attorney for Taillon:

Robert E. Heslin
reh@hrfmlaw.com

Attorney for Thiard-Laforet:

Charles L. Gholz
CGHOLZ@oblon.com

Townes, Yolunda

From: Townes, Yolunda on behalf of Interference Trial Section
Sent: Thursday, June 17, 2004 3:38 PM
To: 'reh@hrfmlaw.com'; 'cgholz@oblon.com'
Subject: Interference No. #105120.034 (SCM) - Judgment-Rule 662

6/17/04