

Merits Panel  
Mail Stop Interference  
P.O. Box 1450  
Alexandria Va 22313-1450  
Tel: 571-272-9797  
Fax: 571-273-0042

Paper 56  
Filed 30 November 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

DAVID JOHN BISHOP, SUNGHO JIN,  
JUNGSANG KIM and AINISSA G. RAMIREZ

Junior Party,  
(Patent 6,124,650),

v.

MEICHUN RUAN and JUN SHEN

Senior Party,  
(Application 10/158,192).

---

Patent Interference No. 105,145

---

Before: TORCZON, LANE, and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

**Judgment - Bd.R. 127(b)(1)**

On 30 November 2005, the board received from Ruan a notice of Express Abandonment of the involved Ruan application (Paper 55). Abandonment of an involved application is construed as a request for adverse judgment. Bd.R. 127(b)(1). Ruan's request for adverse judgment is granted.

Upon consideration of the record, it is

**ORDERED** that judgment on priority as to Count 1 (Paper 1 at 5) is awarded against senior party MEICHUN RUAN and JUN SHEN.

**FURTHER ORDERED** that senior party MEICHUN RUAN and JUN SHEN is not entitled to a patent containing claims 1-10 (corresponding to Count 1) of application 10/158,192.

**FURTHER ORDERED** that a copy of this paper shall be made of record in files of application 10/158,192 and U.S. Patent 6,124,650.

**FURTHER ORDERED** that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and Bd.R. 205.

<u>/Richard Torczon/</u>	)	
RICHARD TORCZON	)	
Administrative Patent Judge	)	
	)	
	)	
<u>/Sally Gardner Lane/</u>	)	BOARD OF PATENT
SALLY GARDNER LANE	)	APPEALS AND
Administrative Patent Judge	)	INTERFERENCES
	)	
	)	
<u>/Sally C. Medley/</u>	)	
SALLY C. MEDLEY	)	
Administrative Patent Judge	)	

cc (via e-mail):

[rbotos@ldlkm.com](mailto:rbotos@ldlkm.com)  
[ejr@lucent.com](mailto:ejr@lucent.com)  
[donf@skgf.com](mailto:donf@skgf.com)  
[eellison@skgf.com](mailto:eellison@skgf.com)