

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 31

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

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

YONG-KYU JANG, YOUNG-KUIL JOO  
and MYEON-KOO KANG  
Junior Party,  
(Patent 6,469,759),

**FAXED**

**SEP 14 2004**

v.

KAZUHIKO TSUDA, KAZUHIRO ISHIZUKA  
and HIROYUKI OHGAMI  
Senior Party,  
(Application 09/406,684).

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

Patent Interference No. 105,203

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

MEDLEY, Administrative Patent Judge.

**JUDGMENT-RULE 662**

On 13 September 2004, the board received "JANG REQUEST FOR ENTRY OF ADVERSE JUDGMENT" in which Jang requests and agrees to entry of adverse judgment under 37 CFR § 1.662(a) (Paper 29). Accordingly, it is

**ORDERED** that judgment on priority as to Count 1 (Paper 1 at 5) is awarded against

junior party YONG-KYU JANG, YOUNG-KUIL JOO and MYEON-KOO KANG.

**FURTHER ORDERED** that junior party YONG-KYU JANG, YOUNG-KUIL JOO and MYEON-KOO KANG is not entitled to a patent containing claims 1, 4 and 5 (corresponding to Count 1) of U.S. Patent 6,469,759.

**FURTHER ORDERED** that a copy of this paper shall be made of record in files of application 09/406,684 and U.S. Patent 6,469,759.

**FURTHER ORDERED** that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

  
RICHARD E. SCHAFER  
Administrative Patent Judge

  
SALLY GARDNER LANE  
Administrative Patent Judge

  
SALLY C. MEDLEY  
Administrative Patent Judge

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