

1 Filed by: Trial Section Merits Panel
2 Mail Stop Interference
3 P.O. Box 1450
4 Alexandria, VA 22313-1450
5 Tel: 571-272-4683
6 Fax: 571-273-0042
7

Paper 65

Entered: 14 December 2006

8 UNITED STATES PATENT AND TRADEMARK OFFICE
9

10
11 BEFORE THE BOARD OF PATENT APPEALS
12 AND INTERFERENCES
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15 ESPER **BOEL**, TOVE CHRISTENSEN
16 and HELLE F. WOLDIKE
17

18 Junior Party,
19 (Application 08/435,557),
20

21 v.
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23 RANDY M. **BERKA**, DANIEL CULLEN,
24 GREGORY L. GRAY, KIRK J. HAYENGA
25 and VIRGIL B. LAWLIS
26

27 Senior Party,
28 (Patents 5,364,770 and 5,578,463).
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30 Patent Interference No. 105,205
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35 **Judgment - Request for Adverse - Bd. R. 127(b)**
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37
38 Before LANE, TIERNEY, and MOORE, *Administrative Patent Judges*.
39

40 LANE, *Administrative Patent Judge*.
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42 The interference has been redeclared to substitute Count 3 for Counts 1 and 2
43 (Paper 64). During a conference call held on 13 October 2006, Berka indicated that it
44 will not contest priority as to Count 3.

1 cc (electronic filing):
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3 Counsel for BOEL:
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5 John T. Callahan, Esq.
6 SUGHRUE MION PLLC
7 2100 Pennsylvania Avenue, N.W.
8 Suite 800
9 Washington, D.C. 20037-3213
10 Tel: 202-293-7060
11 Email: jcallahan@sughrue.com
12
13 Counsel for BERKA:
14
15 Samuel B. Abrams, Esq.
16 JONES DAY
17 222 East 41st Street
18 New York, N.Y. 10017-6702
19 Tel: 212-326-3875
20 Email: sbabrams@jonesday.com
21 tefriebel@jonesday.com