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Filed
January 21, 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

FLORIDA STATE UNIVERSITY
(Robert A. Holton, Zhuming Zhang and Paul A. Clarke)
Junior Party
(Application 09/063,477),

FAXED

JAN 21 2005

v.

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

PHARMACHEMIE B.V.
(Eric Wilhelmus Petrus Damen, Johan Wilhelm Scheeren and Dick de Vos)
Senior Party
(Patent 5,874,595).

Patent Interference No. 105,220 (RES)

FINAL JUDGMENT - Bd. R. 127(b)(3)

Pharmachemie B.V. has filed a concession of priority and requested entry of adverse judgment. Paper 36. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 4), is awarded against the senior party, PHARMACHEMIE B.V.;

FURTHER ORDERED that senior party, PHARMACHEMIE B.V, is not entitled to a patent containing claims 1-18 (corresponding to Count 1) of U.S. Patent 5,874,595;

FURTHER ORDERED that a copy of this judgment be made of record in the file of U.S. Patent 5,874,595 and 09/063,477;

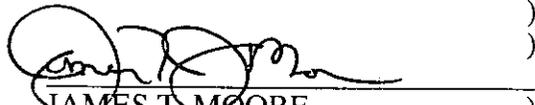
FURTHER ORDERED that if there is any settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 41.205.



RICHARD E. SCHAFER
Administrative Patent Judge



RICHARD TORCZON
Administrative Patent Judge



JAMES T. MOORE
Administrative Patent Judge

BOARD OF PATENT
APPEALS AND
INTERFERENCES

cc (facsimile):

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