

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,227

GARY D. HODGEN
(5,691,314),
Junior Party,

v.

MARC B. GARNICK,
CHRISTOPHER J. MOLINEAUX, AND MALCOLM L. GEFTER
(09/197,595),
Senior Party.

Entered: 31 August 2005

Judgment - Bd. R. 127 - Priority

Before GRON, TORCZON, and MOORE, Administrative Patent Judges.

PER CURIAM.

In view of the decision (Paper 106) on Hodgen's response to the order to show cause, judgment is now entered against Hodgen.

JUDGMENT

JUDGMENT on priority is entered against Hodgen for the subject matter of Count 2, the sole count in the interference;

CLAIMS 1-7 and 10-14 of Hodgen's involved 5,691,314 patent, which correspond to Count 2, shall be canceled; and

A COPY of this judgment shall be entered in the administrative records of Garnick's 09/197,595 application and Hodgen's 5,691,314 patent.

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cc (via electronic mail):

For Hodgen: **Edward A. Meilman** and **Charles E. Miller** of DICKSTEIN SHAPIRO MORIN & OSHINSKY, LLP, New York City, New York.

For Garnick: **Jane E. Remillard** and **Giulio A. DeConti** of LAHIVE & COCKFIELD, LLP, Boston, Massachusetts.

Notice: Agreements and understandings regarding the termination of an interference are subject to filing requirements under 35 U.S.C. 135(c).

Notice: In the event of judicial review, note the requirements of Bd. R. 8(b).