

Filed by: Merits Panel
Administrative Patent Judge
Mail Stop Interference
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Filed: 30 September 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JEAN P. KINET
and JAREMA P. KOCHAN

Junior Party,
(Patent 6,602,983),

v.

PHILIP LEDER,
AKIRA SHIMIZU, RUEBEN SIRAGANIAN,
and PHILIP BERSEY

Senior Party,
(Application 08/128,321).

Patent Interference No. 105,305

Before SCHAFFER, LEE, and GARDNER LANE, Administrative Patent Judges.

GARDNER LANE, Administrative Patent Judge.

Judgment - Request for Adverse -Bd.R. 127(b)

Junior party Kinet has filed a paper entitled "REQUEST FOR ENTRY OF ADVERSE JUDGMENT." (Paper 20). In the paper, Kinet "concedes priority for all counts of Interference No. 105,305" and "requests that adverse judgment be entered against Party Kinet in Interference No. 105,305."

Upon consideration of the record and for reasons given, it is

ORDERED that judgment on priority is entered against junior party JEAN P. KINET and JAREMA P. KOCHAN;

FURTHER ORDERED that junior party JEAN P. KINET and JAREMA P. KOCHAN is not entitled to a patent containing claim 1, 2, 5, 6, 7, 10, 13, and 14 of patent 6,602,983, which claims correspond to count 1, the sole count of the interference (Paper 1 at 6);

FURTHER ORDERED that a copy of this judgment shall be entered into the administrative record of Kinet's 6,602,983 patent and Leder's 08/128,321 application; and

FURTHER ORDERED that, if there is a settlement agreement, the parties are directed to 35 USC § 135(c) and Bd. R. 205.

/ss/ Richard E. Schafer)	
RICHARD E. SCHAFER)	
Administrative Patent Judge)	
)	BOARD OF PATENT
)	APPEALS AND
/ss/ Jameson Lee)	INTERFERENCES
JAMESON LEE)	
Administrative Patent Judge)	
)	
)	
/ss/ Sally Gardner Lane)	
SALLY GARDNER LANE)	
Administrative Patent Judge)	

cc (via first class mail):

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