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Filed: June 15, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge James T. Moore)

David Palmer
and
Pui Kwan Wong
Junior Party
(Patent 6,465,697)

v.

Annie Commarieu
Senior Party
(Application 10/466,814)

Patent Interference No. 105,309 (JTM)

Before **SCHAFER, LEE**, and **MOORE**, Administrative Patent Judges.

MOORE, Administrative Patent Judge.

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

Palmer has filed a Request for Adverse Judgment (Paper 57) as to count 1, the only count of this interference.

Upon consideration of the Request for Adverse Judgment, it is hereby:

ORDERED that judgment on priority as to Count 1 (Paper 53, page 3) is awarded against junior party David Palmer and Pui Kwan Wong.

FURTHER ORDERED that junior party David Palmer and Pui Kwan Wong is not entitled to a patent containing claims 1-55 (corresponding to Count 1) of patent 6,465,697.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 10/466,814 and patent 6,465,697.

FURTHER ORDERED that as the parties have indicated that there is a settlement agreement, the parties shall direct attention to 35 U.S.C. § 135(c) and 37 CFR § 41.205(a).

<u>/Richard E. Schafer/</u>)	
ADMINISTRATIVE PATENT JUDGE)	
)	
<u>/Jameson Lee/</u>)	BOARD OF PATENT
ADMINISTRATIVE PATENT JUDGE)	APPEALS AND
)	INTERFERENCES
<u>/James T. Moore/</u>)	
ADMINISTRATIVE PATENT JUDGE)	

June 15, 2006

Alexandria, VA

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