

Merits Panel
Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

Paper 23
Filed 12 December 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DONALD P. LORENTO
Junior Party
(Patent 6,612,363),

v.

**ROLAND HAURI, RAIMUND EICHHOLZ-BOLDT,
DIETMAR KOLBECK and GERHARD HUGENSCHUTT**
Senior Party
(Application 10/342,559).

Patent Interference No. 105,318

Before: TORCZON, MEDLEY, and MOORE, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

Judgment - Bd.R. 127(b)(1)

On 9 December 2005, the board received from the party Hauri a paper styled
“REQUEST FOR ADVERSE JUDGMENT BY ROLAND HAURI UNDER Bd.R. 127(b)”
(Paper 22), in which Hauri requests adverse judgment by conceding priority of the contested
subject matter. Hauri’s request for adverse judgment is granted.

Upon consideration of the record, it is

ORDERED that judgment on priority as to Count 1 (Paper 1 at 4) is awarded against senior party ROLAND **HAURI**, RAIMUND EICHHOLZ-BOLDT, DIETMAR KOLBECK and GERHARD HUGENSCHUTT.

FURTHER ORDERED that senior party ROLAND **HAURI**, RAIMUND EICHHOLZ-BOLDT, DIETMAR KOLBECK and GERHARD HUGENSCHUTT is not entitled to a patent containing claims 1-30 (corresponding to Count 1) of application 10/342,559.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 10/342,559 and U.S. Patent 6,612,363.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and Bd.R. 205.

<u>/Richard Torczon/</u>)
RICHARD TORCZON)
Administrative Patent Judge)
)
)
<u>/Sally C. Medley/</u>)
SALLY C. MEDLEY)
Administrative Patent Judge)
)
)
<u>/James T. Moore/</u>)
JAMES T. MOORE)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS AND
INTERFERENCES

cc (via facsimile):

Gavin Miezarek-Desai
Fax: 520-623-2418

Richard Mayer
Fax: 212-425-5288

