

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

Paper 21

Filed: 27 July 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JOHN GOODCHILD

Junior Party,
(Patent 6,573,072),

v.

NASSIM USMAN,
ROBERT J. CEDERGRN, JEAN-PIERRE PERREAULT,
JING-HUA YANG, and ALEXANDER RICH

Senior Party,
(Application 10/102,094).

Patent Interference No. 105,330

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

MEDLEY, Administrative Patent Judge.

Judgment - Bd. R. 127

Goodchild was under an Order To Show Cause why judgment should not be entered against it (Paper 3). On 20 July 2005, the board received from the party Goodchild a paper entitled "GOODCHILD NOTICE REGARDING ORDER TO SHOW CAUSE" (Paper 20, in which Goodchild states that it will not contest the Order to Show Cause.

Accordingly, it is

ORDERED that judgment on priority as to Count 1 (Paper 1 at 5) is awarded against junior party JOHN **GOODCHILD**.

FURTHER ORDERED that junior party JOHN **GOODCHILD** is not entitled to a patent containing claims 1-10 and 12-36 (corresponding to Count 1) of U.S. patent 6,573,072.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 10/102,094 and U.S. Patent 6,573,072.

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

/ss/ Richard E. Schafer)
RICHARD E. SCHAFER)
Administrative Patent Judge)
)
)
/ss/ Sally C. Medley) BOARD OF PATENT
SALLY C. MEDLEY) APPEALS AND
Administrative Patent Judge) INTERFERENCES
)
)
/ss/ James T. Moore)
JAMES T. MOORE)
Administrative Patent Judge)

cc (via facsimile):

Counsel for **GOODCHILD**:

Donna M. Meuth, Esq.
WILMER CUTLER PICKERING HALE
and DORR LLP
60 State Street
Boston, MA 02109

Fax: 617-526-5000

Counsel for **USMAN**:

James F. Haley, Jr., Esq.
1251 Avenue of the Americas
New York, N.Y. 10020

Fax: 212-596-9090