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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

**FAXED**

**OCT 4 - 2005**

CAICAI WU, BERNHARD WEIGL,  
MARGARET A. KENNY and PAUL YAGER

**PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Junior Party  
(U.S. Patent No. 6,221,677)<sup>1</sup>

v.

J. WALLACE PARCE, ANNE R. KOPF-SILL  
and LUC J. BOUSSE

Senior Party  
(Application 09/975,500)<sup>2</sup>

Patent Interference No. 105,340

Before LEE, SPIEGEL and MEDLEY, Administrative Patent Judges.

LEE, Administrative Patent Judge.

**Judgment - Bd. Rule 127(b)**

<sup>1</sup> Based on application 09/335,930, filed June 18, 1999. The real party in interest is the University of Washington. Accorded the benefit of application 08/938,585, filed September 26, 1997.

<sup>2</sup> Filed October 11, 2001. The real party in interest is Caliper Life Sciences, Inc. Accorded the benefit of application 09/346,660, filed July 1, 1999, and application 08/671,987, filed June 28, 1996.

Interference No. 105,340  
Wu v. Parce

Senior party Parce has filed a request for entry of adverse judgment. The request is herein **granted**. It is

**ORDERED** that judgment as to the subject matter of Count 1 is herein entered against senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J. BOUSSE;

**FURTHER ORDERED** that judgment as to the subject matter of Count 2 is herein entered against senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J. BOUSSE;

**FURTHER ORDERED** that senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J. BOUSSE is not entitled to its application claims 75, 76 and 77 which correspond to Count 1;

**FURTHER ORDERED** that senior party J. WALLACE PARCE, ANNE R. KOPF-SILL and LUC J. BOUSSE is not entitled to its application claims 78-85 which correspond to Count 2;

**FURTHER ORDERED** that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

**FURTHER ORDERED** that a copy of this judgment be placed in the respective involved application or patent of the parties.

Interference No. 105,340  
Wu v. Parce

/ss/ Jameson Lee  
JAMESON LEE )  
Administrative Patent Judge )

/ss/ Carol A. Spiegel  
CAROL A. SPIEGEL )  
Administrative Patent Judge )

/ss/ Sally C. Medley  
SALLY C. MEDLEY )  
Administrative Patent Judge )

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AND  
INTERFERENCES

Interference No. 105,340

Wu v. Parce

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