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Filed 30 December 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Senior Administrative Patent Judge McKelvey)

TATSUTO NOTSU, NOBUO OHZAWA
and YASUHIRO NAKAI,

Junior Party
(Application 09/449,497),

v.

ANWAR A. HUSSAIN and LEWIS W. DITTERT,

Senior Party
(Patent 6,200,591 B1).

Patent Interference No. 105,387
Technology Center 1600

JUDGMENT

The board has received from Notsu as document styled TATSUTO NOTSU, et al. REQUEST FOR ADVERSE JUDGMENT (Paper 12). The paper states "Pursuant to 37 CFR 41.127(b), party Tatsuto Notsu, et al. hereby requests [entry of an] adverse judgment in connection with the above-identified interference.

Upon consideration of the REQUEST, it is

ORDERED that the REQUEST is granted.

FURTHER ORDERED that judgment on priority as to Count 1 (the sole count in the interference; Paper 1, page 6) is awarded

against junior party TATSUTO NOTSU, NOBUO OHZAWA and YASUHIRO NAKAI.

FURTHER ORDERED that junior party TATSUTO NOTSU, NOBUO OHZAWA and YASUHIRO NAKAI is not entitled to a patent containing claims 24-25, 33, 43-49 and 58 (corresponding to Count 1) of application 09/449,497, filed 29 November 1999.

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

FURTHER ORDERED that a copy of this JUDGMENT shall be placed in the files of (1) application 09/449,497, filed 29 November 1999 and (2) U.S. Patent 6,200,591.

FURTHER ORDERED that the Clerk is directed to distribute the files upon entry of this JUDGMENT.

<u>/ss/ Fred E. McKelvey</u>)	
FRED E. MCKELVEY, Senior)	
Administrative Patent Judge)	
)	
)	
<u>/ss/ Michael P. Tierney</u>)	
MICHAEL P. TIERNEY)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS AND
)	INTERFERENCES
)	
<u>/ss/ James T. Moore</u>)	
JAMES T. MOORE)	
Administrative Patent Judge)	

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