

1 BoxInterferences@uspto.gov Paper 59
2 Telephone: 571-272-4683 Entered: February 13, 2007
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4 UNITED STATES PATENT AND TRADEMARK OFFICE
5 BOARD OF PATENT APPEALS AND INTERFERENCES
6

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8 Patent Interference 105,426 SCM
9 Technology Center 3700
10

11
12 JAIME VARGAS, MICHAEL HENDRICKSEN,
13 STEPHEN YENCHO, JAMEY NIELSEN,
14 BERNARD A. HAUSEN and BRENDAN DONOHOE
15

16 Patent 6,391,038
17 Junior Party
18

19 v.
20

21 DUANE D. BLATTER
22

23 Application 10/243,543
24 Senior Party,
25

26
27 *Before:* FRED E. McKELVEY, *Senior Administrative Patent Judge*, and
28 SALLY GARDNER LANE and SALLY C. MEDLEY, *Administrative*
29 *Patent Judges.*

30
31 *McKELVEY, Senior Administrative Patent Judge.*

32
33 **JUDGMENT**
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35 Upon consideration of the DECISION ON MOTIONS (Paper 58), and
36 for the reasons given therein, it is

1 ORDERED that judgment on priority as to Count 1 (the sole count in
2 the interference; Paper 1, page 4) is awarded against Senior Party Duane D.
3 Blatter.

4 FURTHER ORDERED that Senior Party Duane D. Blatter is
5 not entitled to a patent containing claim 12 (corresponding to Count 1 of:

6 Application 10/243,543
7 12 September 2002
8

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

11 FURTHER ORDERED that a copy of this JUDGMENT shall
12 be placed in the files of (1) application 10/243,543 and (2) U.S. Patent
13 6,391,038 B2.

/ss/ Fred E. McKelvey _____)
FRED E. McKELVEY _____)
Senior Adminstrative Patent Judge) _____) BOARD OF
_____)) PATENT
/ss/ Sally Gardner Lane _____) APPEALS AND
SALLY GARDNER LANE _____)INTERFERENCES
Administrative Patent Judge)
_____)
/ss/ Sally C. Medley _____)
SALLY C. MEDLEY _____)
Administrative Patent Judge)

cc (via electronic mail)

Counsel for Vargas:

Michael J. Wise, Esq.
Joseph P. Hamilton, Esq.
PERKINS COIE LLP
1620 26th Street
6th Floor, South Tower
Santa Monica, CA 90404-4013

Tel: 310-788-3210
Fax: 310-788-3399
Email: mwise@perkinscoie.com
Email: jhamilton@perkinscoie.com

Counsel for Blatter:

R. Danny Huntington, Esq.
Malcolm K. McGowan, Esq.
BINGHAM McCUTCHEN LLP
2020 K Street, NW
Washington, D.C. 20006-1806

Tel: 202-373-6000
Fax: 202-373-6001
Email: danny.huntington@bingham.com
Email: malcolm.mcgowan@bingham.com