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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

AVI ASHKENAZI

Junior Party
(U.S. Patent 6,469,144),

v.

GUO-LIANG YU, JIAN NI, REINER GENTZ,
and **PATRICK DILLON**

Senior Party
(U.S. Application 10/189,189).

Patent Interference No. 105,438 (MPT)
(Technology Center 1600)

JUDGMENT - REQUEST FOR ADVERSE - Bd. R. 127(b)

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Before: Medley, Tierney and Moore, *Administrative Patent Judges*

Tierney, *Administrative Patent Judge*.

Junior Party Ashkenazi has filed a request for adverse judgment. (Ashkenazi Request for Adverse Judgment, Paper No. 32). Specifically, Junior Party Ashkenzai has abandoned the contest and requests adverse judgment on priority as to Count 1, the sole count in interference. Bd. R. 127(b).

1 It is:

2 **ORDERED** that judgment on priority as to Count 1, the sole count in interference, is
3 awarded against Junior Party Ashkenzai .

4 **FURTHER ORDERED** that Junior Party Ashkenzai is not entitled to a patent
5 containing claims 1-15 of U.S. Patent 6,469,144, all of which correspond to Count 1.

6 **FURTHER ORDERED** that a copy of this paper shall be made of record in the files of
7 U.S. Application No. 10/189,189 and U.S. Patent No. 6,469,144.

8 **FURTHER ORDERED** that should there be a settlement agreement, the parties'
9 attention is directed to 35 U.S.C. §135(c) and Bd. R. 205.

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11 /s/ Sally C. Medley)
12 SALLY C. MEDLEY)
13 Administrative Patent Judge)

14)
15)
16)

17 /s/ Michael P. Tierney) BOARD OF PATENT
18 MICHAEL P. TIERNEY) APPEALS
19 Administrative Patent Judge) AND
20) INTERFERENCES

21)
22)
23 /s/ James T. Moore)
24 JAMES T. MOORE)
25 Administrative Patent Judge)

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