

UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,461

SEMICONDUCTOR ENERGY LABORATORY CO., LTD.  
(6,734,457),  
Junior Party,

v.

TRUSTEES OF PRINCETON UNIVERSITY  
and  
University of Southern California  
(10/913,211),  
Senior Party.

Before: SCHAFER, TORCZON, and MOORE, *Administrative Patent Judges*.

TORCZON, *Administrative Patent Judge*.

JUDGMENT – Bd.R. 127 – ON MERITS

1           The junior party (SEL) did not allege a priority date prior to the  
2 benefit date accorded to the senior party (the Trustees). This failure will  
3 ordinarily result in judgment against the junior party, Bd.R. 204(a)(3),  
4 however, in this case SEL sought judgment on a threshold motion, which  
5 was deemed to provide potential good cause avoiding judgment. This  
6 motion has been denied in the accompanying decision, Paper 53, so the  
7 potential good cause has not been realized. Consequently, we proceed to  
8 judgment.

1 Judgment is ENTERED AGAINST the junior party;

2 All of the junior party's involved patent claims, claims 1-40, are

3 CANCELED;

4 A copy of the decision on motions, Paper 53, and this judgment shall

5 be ENTERED in the administrative records of the involved patent and

6 application.

cc:

[Eric J. Robinson](#) and [Robert L. Pilaud](#), ROBINSON INTELLECTUAL PROPERTY  
LAW OFFICE, of Potomac Falls, Virginia, for Semiconductor Energy  
Laboratory Co., Ltd.

[John R. Kenny](#) and [Patrick J. Birde](#), KENYON & KENYON, of New York City,  
New York, for the Trustees of Princeton University and the University of  
Southern California.