

Mail Stop Interference  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Tel: 571-272-4683  
Fax: 571-273-0042

Filed: May 3, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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**MARK HENRY PAUSCH,**  
BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK,  
LAURA ALICIA PRICE, EILEEN MARIE KAJKOWSKI,  
DONALD RICHARD KIRSCH, AND DEBORAH TARDY CHALEFF,  
Junior Party  
(Patent 6,406,871),

v.

**DANA M. FOWLKES,**  
JIM BROACH, JOHN MANFREDI, CHRISTINE KLEIN,  
ANDREW J. MURPHY, JEREMY PAUL, AND  
JOSHUA TRUEHEART  
Senior Party  
(Application 10/600,003).

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Patent Interference No. 105,463  
(Technology Center 1600)

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Before RICHARD E. SCHAFFER, SALLY GARDNER LANE, and SALLY C.  
MEDLEY, Administrative Patent Judges.

LANE, Administrative Patent Judge.

1 **Judgment-Bd.R. 127**

2 Pausch requests adverse judgment. (Paper 25).

3 Upon consideration of the record of the interference and for reasons given, it  
4 is

5 ORDERED that judgment on priority as to Count 1, the sole count of  
6 the interference, is entered against junior party MARK HENRY PAUSCH,  
7 BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK, LAURA  
8 ALICIA PRICE, EILEEN MARIE KAJKOWSKI, DONALD RICHARD  
9 KIRSCH, and DEBORAH TARDY CHALEFF;

10 FURTHER ORDERED that junior party MARK HENRY PAUSCH,  
11 BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK, LAURA  
12 ALICIA PRICE, EILEEN MARIE KAJKOWSKI, DONALD RICHARD KIRSCH,  
13 and DEBORAH TARDY CHALEFF is not entitled to a patent containing claims  
14 47-49, 56-61, and 88 of patent 6,406,871, which claims correspond to Count 1;

15 FURTHER ORDERED that, if there is a settlement agreement, the  
16 parties are directed to 35 USC §135(c) and Bd. R. 205; and

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1                   FURTHER ORDERED that a copy of this judgment shall be entered  
2 into the administrative records of Pausch patent 6,406,871 and Fowlkes application  
3 10/600,003.

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5                   /Richard E. Schafer/ )  
6                   RICHARD E. SCHAFER )  
7                   Administrative Patent Judge )  
8                   ) )  
9                   ) )  
10                  /Sally G. Lane/ ) BOARD OF PATENT  
11                  SALLY GARDNER LANE )  
12                  Administrative Patent Judge ) APPEALS AND  
13                  ) )  
14                  ) INTERFERENCES  
15                  /Sally C. Medley/ )  
16                  SALLY C. MEDLEY )  
17                  Administrative Patent Judge )

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cc (via electronic mail):

Counsel for Pausch:

[steven.oconnor@finnegan.com](mailto:steven.oconnor@finnegan.com)  
[timothy.donaldson@finnegan.com](mailto:timothy.donaldson@finnegan.com)

Counsel for Fowlkes:

[gneuner@eapdlaw.com](mailto:gneuner@eapdlaw.com)  
[plauro@eapdlaw.com](mailto:plauro@eapdlaw.com)