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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

**SANTOSH K. YACHARENI, KAZUHIRO KURIHARA,
BINH Q. LE, and MICHAEL S.C. CHUNG**

Junior Party
(Patent No. 6,370,061)¹

v.

DANIEL GUTERMAN and YUPIN KAWING FONG

Senior Party
(Application 10/410,672)²

Patent Interference No. 105,475

Before LEE, LANE and MEDLEY, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment -- Request for Adverse -- Bd.R. 127(b)

¹ Based on application 09/884,583, filed June 19, 2001. The real party in interest is Spansion, LLC.

² Filed April 8, 2003. Accorded the benefit of Application 10/013,592, filed November 13, 2001, Application 09/688,061, filed October 13, 2000, and Application 08/910,947, filed August 7, 1997. The real party in interest is SanDisk Corporation.

Interference No. 105,475
Yachareni v. Guterman

The parties have filed a joint request for entry of adverse judgment (Paper 18). The request is **granted**.

It is

ORDERED that judgment as to the subject matter of Count 1 is herein entered against both junior party SANTOSH K. YACHARENI, KAZUHIRO KURIHARA, BING Q. LE, and MICHAEL S.C. CHUNG, and senior party DANIEL C. GUTERMAN and YUPIN KAWING FONG;

FURTHER ORDERED that junior party SANTOSH K. YACHARENI, KAZUHIRO KURIHARA, BING Q. LE, and MICHAEL S.C. CHUNG is not entitled to its patent claims 1-3 which correspond to Count 1, and that senior party DANIEL C. GUTERMAN and YUPIN KAWING FONG is not entitled to its application claims 42-44 and 51-53 which correspond to Count 1;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

Interference No. 105,475
Yachareni v. Guterman

FURTHER ORDERED that a copy of this judgment be placed in the respective involved application or patent of the parties.

<u>/s/ Jameson Lee</u>)	
JAMESON LEE)	
Administrative Patent Judge)	
)	
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)	
<u>/s/ Sally Gardner Lane</u>)	BOARD OF PATENT
SALLY GARDNER LANE)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
<u>/s/ Sally C. Medley</u>)	
SALLY C. MEDLEY)	
Administrative Patent Judge)	

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