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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Chiesi Farmaceutici S.P.A.,

Junior Party

(Application 10/244,519 -

Named Inventors: **Lewis**, David; Ganderton, David; Meakin, Brian;
Ventura, Paolo; Brambilla, Gaetano; and Garzia, Raffaella),

v.

Baker Norton Pharmaceuticals, Inc.,

Senior Party

(Patent 6,290,930 -

Named Inventors: **Blondino**, Frank E.; Brucato, Michael; Buenafe, Maria;
Cavanaugh, Kelly A.; Medina, Raul A.).

Patent Interference 105,479 (RES)
(Technology Center 1600)

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

Before: SCHAFFER, TORCZON and MOORE, Administrative Patent Judges.

PER CURIUM

Baker Norton (Blondino) has filed a paper requesting entry of an adverse judgment under 37 CFR § 41.127(b)). Paper 20. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 3) is awarded against Baker Norton Pharmaceuticals, Inc.;

FURTHER ORDERED that Baker Norton Pharmaceuticals, Inc., is not entitled to a patent containing claims 1-32 (corresponding to Count 1) of Patent 6,290,930;

FURTHER ORDERED that a copy of this judgment be made of record in the file of Patent 6,290,930 and Application 10/244,519; and

FURTHER ORDERED that if there is any settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 41.205.

/Richard E. Schafer/)
RICHARD E. SCHAFER)
Administrative Patent Judge)
)
)
/Richard Torczon/)
RICHARD TORCZON)
Administrative Patent Judge)
)
)
/James T. Moore/)
JAMES T. MOORE)
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