

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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LAWRENCE L. **KUNZ**  
Junior Party  
(U.S. Patent 6,171,609),

v.

LARRY K. **KEEFER** AND JOSEPH A. HRABIE  
Senior Party  
(U.S. Application 10/041,200).

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Patent Interference No. 105,481 (MPT)  
(Technology Center 1600)

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**JUDGMENT - ADVERSE - Bd. R. 127(b)**

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

Kunz has filed a request for adverse judgment. (Paper 24). Specifically,  
Kunz states that it requests adverse judgment as to Count 2, the sole count in  
interference. (See, Redeclaration, Paper 20). Additionally, Kunz notified the  
Board that Kunz has filed a reissue application for its involved 6,171,609 patent.

1 It is:

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

4 **FURTHER ORDERED** that Junior Party Kunz is not entitled to a patent  
5 containing Kunz, U.S. Patent 6,171,609 claims 1-2, 4-8, 10-16, 18-20, 22-23, 25-  
6 30, 32-37, 39, 41-42, 44-50, 53, 55-61, 63-69, 71 and 73-74, all of which  
7 correspond to Count 2.

8 **FURTHER ORDERED** that a copy of this paper shall be made of record in  
9 the files of Kunz, U.S. Patent 6,171,609 and Keefer U.S. Application 10/041,200.

10 **FURTHER ORDERED** that the parties' attention is directed to 35 U.S.C.  
11 §135(c) and Bd. R. 205.

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13	<u>/ss/ Sally C. Medley</u>	)	
14	SALLY C. MEDLEY	)	
15	Administrative Patent Judge	)	
16		)	
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18	<u>/ss/ Michael P. Tierney</u>	)	)BOARD OF PATENT
19	MICHAEL P. TIERNEY	)	) APPEALS AND
20	Administrative Patent Judge	)	) INTERFERENCES
21		)	
22		)	
23	<u>/ss/ James T. Moore</u>	)	
24	JAMES T. MOORE	)	
25	Administrative Patent Judge	)	
26		)	

1 cc (electronic filing):

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