

Mail Stop Interference
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Filed 17 July 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LINDA M. **WESTERN**,
SAMUEL J. ROSE, and
EDWIN F. ULLMAN,

Junior Party
(Patents 6,121,001 and 6,110,677),

v.

JAMES E. **DAHLBERG**,
MARY ANN D. LYAMICHEV, and
VICTOR I. LYAMICHEV,

Senior Party
(Application Patent 09/660,924).

Patent Interference No. 105,521
(Technology Center 1600)

Before Lane, Medley, and Moore, Administrative Patent Judges.

Lane, Administrative Patent Judge.

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

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Junior party Western has filed a request for adverse judgment (Paper 33).

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

1 **ORDERED** that judgment on priority as to Count 1, the sole count
2 of the interference, is awarded against junior party LINDA M. WESTERN,
3 SAMUEL J. ROSE, and EDWIN F. ULLMAN;

4 **FURTHER ORDERED** that junior party LINDA M. WESTERN,
5 SAMUEL J. ROSE, and EDWIN F. ULLMAN is not entitled to a patent containing
6 claims 1-5, 27, and 28 of patent 6,121,001 and claims 1-11 of patent 6,110,677,
7 which claims correspond to Count 1, the sole count of the interference (See
8 Paper 1 at 5);

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

11 **FURTHER ORDERED** that a copy of this judgment shall be entered
12 into the administrative records of Western patents 6,121,001 and 6,110,677 and
13 Dahlberg application 09/660,924.

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15	<u>/Sally Gardner Lane/</u>)	
16	SALLY GARDNER LANE)	
17	Administrative Patent Judge)	
18)	
19)	
20	<u>/Sally C. Medley/</u>)	BOARD OF PATENT
21	SALLY C. MEDLEY)	APPEALS AND
22	Administrative Patent Judge)	INTERFERENCES
23)	
24)	
25	<u>/James T. Moore/</u>)	
26	JAMES T. MOORE)	
27	Administrative Patent Judge)	
28)	

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