

UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,530

DOW CORNING CORPORATION
and Dow Corning Toray Silicone Company, Limited
(6,433,205 B1),
Junior Party,

v.

ELKEM AS
(10/488,485),
Senior Party.

Before: LEE, TORCZON, and MEDLEY *Administrative Patent Judges*.

TORCZON, *Administrative Patent Judge*.

JUDGMENT

Bd.R. 127(b) — REQUESTED

Senior party Elkem AS has conceded priority to junior party Dow Corning Corporation. In view of this concession, entry of judgment against Elkem is now appropriate.

Judgment is ENTERED AGAINST senior party Elkem AS for count 1 (Paper 1 at 3), the sole count.

Claims 1-17 of Elkem's involved application are FINALLY REFUSED, 35 U.S.C. 135(a).

A copy of this judgment shall be entered in the administrative records of the involved patent and application.

cc:

David M. LaPrairie and Christopher S. Andrzejak, Howard & Howard, P.C., of Bloomfield Hills, Michigan, for junior party, Dow Corning Corp. and Dow Corning Toray Silicone Co., Ltd.

Donald Lucas and Timothy D. Meade, Lucas & Mercanti, LLP, of New York City, New York, for senior party, Elkem AS.