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P.O. Box 1450
Alexandria VA 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Paper 30
Filed 23 July 2007

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

MIRNA RAPP
Junior Party
(Application 09/869,031),

v.

ARMIN PRASCH
and
BERNHARD LUY
Senior Party
(Patent 6,596,318).
Patent Interference No. 105,541)
(Technology Center 1600)

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

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3 *Before: SCHAFFER, TIERNEY, and MOORE Administrative Patent Judges.*

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5 *MOORE, Administrative Patent Judge.*

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7 Junior Party Rapp has filed a request for entry of adverse judgment (Paper
8 25) against its claims which correspond to the Counts.

9 Upon consideration of the request, it is

10 ORDERED that judgment on priority as to Count 1 (Paper 1, page 4) is
11 awarded against Junior Party Mirna Rapp.

12 FURTHER ORDERED that Junior Party Mirna Rapp is not entitled to a

1 patent containing claims 25-28, 37, 52, and 54-57 (corresponding to Count 1) of:

2

3 U.S. Patent Application 09/869,031
4 filed 16 October 2001.

5 FURTHER ORDERED that judgment on priority as to Count 2 (Paper 1,
6 page 4) is awarded against Junior Party Mirna Rapp.

7 FURTHER ORDERED that Junior Party Mirna Rapp is not entitled to a
8 patent containing claims 43-49, 53, 59-63, and 67-73 (corresponding to Count 2)
9 of:

10 U.S. Patent Application 09/869,031
11 filed 16 October 2001.

12 FURTHER ORDERED that as there is a settlement agreement, attention
13 shall be directed to 35 U.S.C. § 135(c).

14 FURTHER ORDERED that a copy of this JUDGMENT shall be placed in
15 the files of (1) application 09/869,031 and (2) U.S. Patent 6,596,318.

1 cc (via email):

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3 Attorney for RAPP:

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5 Mark D. Sweet, Esq.

6 Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.

7 901 New York Avenue, NW

8 Washington, DC. 20001 -441 3

9 Telephone: 202.408.4162

10 Facsimile: 202.408.4400

11 E-mail: mark.sweet@finnegan.com

12 E-mail: carlos.tellez@finnegan.com

13

14 Attorney for PRASCH:

15

16 Michael J. Sweedler

17 DARBY & DARBY P.C.

18 805 Third Avenue

19 New York, New York 10022-7513

20 Tel: (2 12) 527-7700

21 Fax: (212) 527-7701

22 Email: msweedler@darbylaw.com

23 Email: mgross@darbylaw.com

24

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