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Paper 41
Entered: 11 March 2008

10 UNITED STATES PATENT AND TRADEMARK OFFICE

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13 BEFORE THE BOARD OF PATENT APPEALS
14 AND INTERFERENCES
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19 STEINUNN **BAEKESKOV**, HENK-JAN AANSTOOT, PIETRO DECAMILLI,
20 FRANCO FOLLI, and MICHELE SOLIMENA
21 Junior Party
22 (Application No. 08/452,053),
23

24 v.

25
26 MARK A. **ATKINSON** and NOEL K. MACLAREN
27 Senior Party
28 (Patent 5,645,998)
29 _____
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32 Patent Interference No. 105,576
33 (Technology Center 1600)
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37 Before Lane, Medley, and Moore, *Administrative Patent Judges*.

38 Lane, *Administrative Patent Judge*.

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

41 Atkinson has filed a request for adverse judgment. (Paper 37).

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

43 ORDERED that judgment on priority as to Count 2, the sole count
44 of the interference (Paper 29), is entered against senior party Atkinson;

1 FURTHER ORDERED that claims 1-5 of Atkinson patent
2 5,645,998, which claims correspond to Count 2, be CANCELLED, 35 U.S.C.

3 § 135(a);

4 FURTHER ORDERED that the parties note the requirements of 35
5 U.S.C. § 135(c) and Bd.R. 205; and

6 FURTHER ORDERED that a copy of this judgment shall be entered
7 into the administrative record of Atkinson patent 5,645,998 and Baekkeskov
8 application 08/452,053.

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10	<u>/Sally Gardner Lane/</u>)	
11	SALLY GARDNER LANE)	
12	Administrative Patent Judge)	
13)	
14)	
15	<u>/Sally C. Medley/</u>)	
16	SALLY C. MEDLEY)	BOARD OF PATENT
17	Administrative Patent Judge)	APPEALS AND
18)	INTERFERENCES
19)	
20	<u>/James T. Moore/</u>)	
21	JAMES T. MOORE)	
22	Administrative Patent Judge)	

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1 cc (via electronic filing):

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