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4 UNITED STATES PATENT AND TRADEMARK OFFICE
5 BOARD OF PATENT APPEALS AND INTERFERENCES
6

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8 Patent Interference 105,625 McK
9 Technology Center 1600
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12 IAN C. **ASHURST**, IGNATIUS LOY BRITTO,
13 CRAIG STEVEN HERMAN, LI LI-BOVET,
14 and MICHAEL THOMAS RIEBE,
15

16 Patent 6,532,955 B1,
17 Junior Party,
18

19 v.
20

21 FRANCOIS **BRUGGER** and ANGELIKA STAMPF,
22

23 Application 10/424,633,
24 Senior Party,
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26
27 *Before: FRED E. McKELVEY, Senior Administrative Patent Judge, and*
28 *JAMESON LEE and SALLY C. MEDLEY, Administrative Patent Judges.*
29

30 *McKELVEY, Senior Administrative Patent Judge.*
31

32 **JUDGMENT**

33 Upon consideration of the record, including the DECISION ON
34 MOTIONS (Paper 3), it is

35 ORDERDED that judgment on priority as to Count B (the sole
36 count in the interference; Paper 4, pages 1-2) is awarded against Junior Party

1 IAN C. ASHURST, IGNATIUS LOY BRITTO, CRAIG STEVEN
2 HERMAN, LI LI-BOVET, and MICHAEL THOMAS RIEBE.

3 FURTHER ORDERED that Junior Party IAN C. ASHURST,
4 IGNATIUS LOY BRITTO, CRAIG STEVEN HERMAN, LI LI-BOVET,
5 and MICHAEL THOMAS RIEBE is not entitled to a patent containing
6 claims 1-26 (corresponding to Count B) of:

7 U.S. Patent 6,532,955 B1
8 granted 18 March 2003
9 based on application 09/570,789
10 filed 15 May 2000.

11 35 U.S.C. § 102(g)(1).

12 FURTHER ORDERED that Junior Party IAN C. ASHURST,
13 IGNATIUS LOY BRITTO, CRAIG STEVEN HERMAN, LI LI-BOVET,
14 and MICHAEL THOMAS RIEBE is not entitled to a patent containing
15 claims 1, 15-18, 20-21 and 23-25 (corresponding to Count B) of:

16 U.S. Patent 6,532,955 B1
17 granted 18 March 2003
18 based on application 09/570,789
19 filed 15 May 2000.

20 *Guinn v. Kopf*, 96 F.3d 1419 (Fed. Cir. 1996).

21 FURTHER ORDERED that claims 1-26 of patent U.S. Patent
22 6,532,955 B1 are cancelled. 35 U.S.C. § 135(a).

23 FURTHER ORDERED that if there is a settlement agreement,
24 attention is directed to 35 U.S.C. § 135(c).

25 FURTHER ORDERED that a copy of this JUDGMENT shall
26 be placed in the files of (1) U.S. Patent 6,532,955 B1 and (2) 10/424,633.

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