

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 64

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

CELESTINA MARIANI, JAN LEEMANS, WILLY DE GREEF
and MARC DE BEUCKELEER

Junior Party,
(Application No. 08/027,580),

v.

STEVEN F. FABIJANSKI, PAUL G. ARNISON, DIEGO ALBANI
and LAURIAN S. ROBERT

Senior Party
(Application No. 08/276,510)

Patent Interference No. 103,885

JUDGMENT UNDER 37 CFR § 1.662

On December 13, 2000, counsel for senior party Fabijanski et al. filed a document in this interference stating that, "Fabijanski et al. hereby requests entry of adverse judgment in the captioned

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interference, pursuant to 37 CFR § 1.662” (Paper No. 63). There being but a single count in this interference, namely count 1, we understand this request as one for adverse judgment as to all claims of senior party Fabijanski et al. corresponding to count 1 of this interference.

Accordingly, judgment is entered in favor of junior party Mariani et al. and against senior party Fabijanski pursuant to 37 CFR § 1.662(a).

Junior party Mariani et al. (Celestina Mariani, Jan Leemans, Willy De Greef and Marc De Beuckeleer) are entitled to a patent on the subject matter covered by claims 21 through 28, 31 through 42, 44 through 46, 50, 51, 54 through 57 and 60 through 84 of Application No. 08/027,580, which correspond to count 1 of this interference.

Senior party Fabijanski et al. (Steven F. Fabijanski, Paul G. Arnison, Diego Albani and Laurian S. Robert) are not entitled to a patent on the subject matter covered by claims 234, 253, 254, 256, 258, 273, and 276 through 295 of Application No. 08/276,510, which correspond to count 1 of this interference.

BRUCE H. STONER, JR. Chief)
Administrative Patent Judge)
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) BOARD OF PATENT
IAN A. CALVERT) APPEALS AND
Administrative Patent Judge) INTERFERENCES
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Interference No. 103,885

JOHN C. MARTIN)
Administrative Patent Judge)

BHS/bhs

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