

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 257

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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YUNG-CHI CHENG,  
Junior Party,<sup>1</sup>

v.

DENNIS C. LIOTTA,  
Junior Party,<sup>2</sup>

v.

DENNIS C. LIOTTA,  
Senior Party.<sup>3</sup>

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Patent Interference No. 104,019

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Before CAROFF, MARTIN, and HANLON, Administrative Patent Judges.

CAROFF, Administrative Patent Judge.

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<sup>1</sup>Application No. 08/487,187, filed June 7, 1995. Assignment to Yale University.

<sup>2</sup>Application No. 08/775,572, filed December 31, 1996.

<sup>3</sup>Application No. 09/007,502, filed January 15, 1998. Assignment to Emory University.

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JUDGMENT UNDER 37 CFR § 1.662(a)

A request for entry of adverse judgment (Paper No. 256) has been filed by Emory University on behalf of all the remaining parties in this interference proceeding.<sup>4</sup>

By virtue of an exclusive license agreement (Section 4.1), it appears that Emory University is authorized to represent the interests of all the remaining parties in this interference pursuant to 37 CFR § 10.66(c). Also, see Paper No. 109. Accordingly, judgment is in order and is hereby entered as follows:

JUDGMENT

Judgment as to the subject matter of the sole count in issue (see Redeclaration - Paper No. 190) is hereby entered against both junior party Cheng and junior party Liotta (application 08/775,572), and is awarded to senior party Liotta (application 09/007,502).

Accordingly, on the record before us, Liotta ('502) is entitled to a patent containing his '502 application claims 1-7 and 9-15 corresponding to the count.

Junior party Cheng is not entitled to a patent containing

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<sup>4</sup>Judgment has previously been entered in this interference against Belleau et al. See Paper No. 252.

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its claims 3, 8, 10, 13-15, 19-21 and 37-53 corresponding to the count, and junior party Liotta is not entitled to a patent containing its '572 application claims 1-19 corresponding to the count.

MARC L. CAROFF	)	
Administrative Patent Judge	)	
	)	
	)	
	)	BOARD OF PATENT
JOHN C. MARTIN	)	APPEALS AND
Administrative Patent Judge	)	INTERFERENCES
	)	
	)	
	)	
ADRIENE LEPIANE HANLON	)	
Administrative Patent Judge	)	

MLC:svt

Interference No. 104,019

Attorneys for Cheng:

Sherry M. Knowles  
King & Spaulding  
191 Peachtree Street  
Atlanta, GA 30303

Attorneys for Liotta:

Sherry M. Knowles  
King & Spaulding  
191 Peachtree Street  
Atlanta, GA 30303

Attorneys for Liotta:

Sherry M. Knowles  
King & Spaulding  
191 Peachtree Street  
Atlanta, GA 30303