
Trial Section Merits Panel
BOX INTERFERENCE
WASHINGTON DC 20231
Telephone: 703-308-9797
Facsimile: 703-305-0942

Paper No. 70

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

RANDAL W. SCOTT,
WENDY B. LEVINE, JEFFREY J. SEILHAMER,
ANGELO M. DELEGEANE, and CRAIG WILDE
(08/319,555),

Junior Party,

v.

SCOTT M. SILBIGER
and RAYMOND A. KOSKI
(08/134,231),

Senior Party.

Interference No. 104,207

Before SCHAFFER, LEE, and TORCZON, Administrative Patent Judges.
TORCZON, Administrative Patent Judge.

JUDGMENT

(PURSUANT TO 37 CFR § 1.662(a))

INTRODUCTION

On 21 January 2000, Silbiger filed a settlement agreement under seal. On 27 January 2000, Scott filed a request for adverse judgment pursuant to Rule 662 in view of the settlement agreement. Since the agreement was filed under seal, we have not referred to it in reaching this judgment against Scott.

ORDER

Upon consideration of the record of this interference, it
is-

ORDERED that judgment on priority as to Count 1 is awarded
against junior party Scott;

FURTHER ORDERED that junior party Scott is not entitled to a
patent containing claims 1-5 and 14, which correspond to Count 1;

FURTHER ORDERED that, based on the record before us, senior
party Silbiger is entitled to a patent containing claims 14, 15,
17-20, 23-25, 27-30, 45, and 46, which correspond to Count 1; and

FURTHER ORDERED that copies of this decision be given paper
numbers and be entered in administrative records 08/319,555 and
08/134,231.

RICHARD E. SCHAFER
Administrative Patent Judge

JAMESON LEE
Administrative Patent Judge

RICHARD TORCZON
Administrative Patent Judge

BOARD OF
PATENT
APPEALS AND
INTERFERENCES

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Attorneys for Scott
(Incyte Pharmaceuticals, Inc., real party in interest):

Steven B. Kelber
Sharon Crane
Ron Myers
LONG ALDRIDGE & NORMAN LLP
701 PENNSYLVANIA AVE NW 6 FL
WASHINGTON DC 20004

Fax: 202-624-1298

Attorneys for Silbiger
(Amgen Inc., real party in interest):

M. Paul Barker
Matthew W. Knight
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
1300 I ST NW
WASHINGTON DC 20005-3315

Fax: 650-849-6666



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Board of Patent Appeals and Interferences
Interference Trial Section

24 September 2003 - 15.03

TO: Yolunda R. Townes
Sonja Despertt

FROM: Richard Torczon

INTERFERENCE NO. 104,207

- Please review the attachment and, if no corrections are necessary, please circulate as indicated.
- If corrections are necessary, please mark the attachment accordingly and return it to me.

Thank you for your assistance in this matter.

Attachment

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