

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 18

Filed by: Interference Trial Section Merits Panel
Box Interference
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Filed:
23 April 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MICHAEL **FLORENT** and FRANCIS LECLEIRE,

Junior Party,
(Patent 6,016,940),

v.

FRANCOIS-NOEL **RICHARD** and JOSE SIMOES,

Senior Party,
(Application 09/837,414).

Patent Interference No. 105,095

Before: SCHAFER, LEE and SPIEGEL, Administrative Patent Judges.

SCHAFER, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

Richard has filed a paper indicating acceptance of an adverse judgment in this interference under 37 CFR § 1.662(a). Paper 17. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1, p. 5), is awarded against the senior party, FRANCOIS-NOEL RICHARD and JOSE SIMOES;

FURTHER ORDERED that senior party, FRANCOIS-NOEL RICHARD and JOSE SIMOES, is not entitled to a patent containing claims 1-4 (corresponding to Count 1) of Application 09/837,414;

FURTHER ORDERED that a copy of this judgment be made of record in Application 09/837,414; and Patent 6,016,940;

FURTHER ORDERED that if there is any settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

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RICHARD E. SCHAFER)
Administrative Patent Judge)
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_____) BOARD OF PATENT
JAMESON LEE) APPEALS AND
Administrative Patent Judge) INTERFERENCES
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_____)
CAROL A. SPIEGEL)
Administrative Patent Judge)

Date: _____
Arlington, VA

cc (via FAX):

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