

**THIS OPINION WAS NOT WRITTEN FOR PUBLICATION
AND IS NOT BINDING PRECEDENT OF THE BOARD**

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Paper 39
February 19, 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge James T. Moore)

ROBERT L. MARTUZA and DONALD M. COEN

Junior party,
Application 08/272,516

v.

BERNARD ROIZMAN and JOANY CHOU

Senior party,
U.S. Patent 6,172,047
U.S. Patent 6,340,673

Patent Interference No. 105,127 (JTM)

Before TORCZON, LANE and MOORE, Administrative Patent Judges.

MOORE, Administrative Patent Judge.

Judgment

On February 13, 2004, senior party Roizman filed a paper requesting entry of adverse judgment. The request is **granted**. It is

ORDERED that judgment as to the subject matter of Count 1 is hereby entered against senior party Bernard Roizman and Joany Chou;

FURTHER ORDERED that senior party Bernard Roizman and Joany Chou is not entitled to the claims of both of its patents, to wit: U.S. Patent 6,172,047 (claims 1-6) and U.S. Patent 6,340,673 (claims 1-6), which all correspond to Count 1;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and 37 CFR § 1.666; and

FURTHER ORDERED that a copy of this judgment be filed in the respective involved application(s) or patent(s) of the parties.

_____)	
Richard Torczon)	
Administrative Patent Judge)	
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_____)	BOARD OF PATENT
Sally Gardner Lane)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
_____)	
James T. Moore)	
Administrative Patent Judge)	

Interference No. 105,127
Martuza v. Roizman

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