

The opinion in support of the decision being entered today is not binding precedent of the Board.

Filed by: Trial Section Merits Panel
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Paper No. 29

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

DAVID ROSENWASSER
and AVRAHAM MOSHE ROSENWASSER,

Junior Party,
(Patent 6,389,790)¹

v.

MEANG K. CHIA, CHEO K. CHIA
and HUY K. CHIA,

Senior Party
(Application 10/302,530)²

Patent Interference No. 105,202

Before LEE, MEDLEY and NAGUMO, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment – Rule 662

¹ Based on Application 09/473,594, filed December 29, 1999. The real party in interest is Avraham Moshe Rosenwasser.

² Filed November 21, 2002. Accorded the benefit of Application 09/337,455, filed June 21, 1999, and Application 09/287,972, filed April 7, 1999.

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On August 24, 2004, senior party Chia filed a paper stating that it abandons the contest defined by this interference and requests entry of adverse judgment as to all claims. On the same date, senior party Chia filed a paper requesting express abandonment of its involved Application 10/302,530. On August 30, 2004, senior party Chia filed a supplement to its request for express abandonment, enclosing a corresponding paper requesting express abandonment to be entered in the file of its involved application. These requests are treated collectively as a single request for entry of adverse judgment. See 37 CFR § 1.662(a).

The request for entry of adverse judgment is **granted**. It is

ORDERED that judgment as to the subject matter of the sole count, Count 1, is herein entered against senior party MEANG K. CHIA, CHEO K. CHIA and HUY K. CHIA;

FURTHER ORDERED that senior party MEANG K. CHIA, CHEO K. CHIA and HUY K. CHIA is not entitled to its application claims 80-96 which correspond to the count;

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 placed in the respective involved application or patent of the parties.

Interference No. 105,202
Rosenwasser v. Chia

_____)	
Jameson Lee)	
Administrative Patent Judge)	
)	
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)	
_____)	BOARD OF PATENT
Sally C. Medley)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
_____)	
Mark Nagumo)	
Administrative Patent Judge)	

Interference No. 105,202
Rosenwasser v. Chia

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