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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

CHRISTOPHER R. CORDING

Junior Party
(Application 10/400,067)¹

v.

RICHARD J. RICHARDSON
and BENNIE REED DOWNING

Senior Party
(Patent No. 6,606,832)²

Patent Interference No. 105,224

Before LEE, MEDLEY and MOORE, Administrative Patent Judge.

LEE, Administrative Patent Judge.

Judgment – Motions – Bd. Rule 127

On April 1, 2005, in a decision on preliminary motions we held that all of junior party Cording's claims corresponding to the count are unpatentable over prior art and some of senior party Richardson's claims corresponding to the count are unpatentable over prior art. Because

¹ Filed on March 27, 2003. Accorded the benefit of Application 09/909,262, filed July 19, 2001. The real party in interest is AFG Industries, Inc.

² Based on Application 09/877,697, filed June 9, 2001. The real party in interest is Anthony, Inc.

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junior party Cording, whose involved case in this interference is an application, is left with no patentable claim that corresponds to the count, a priority determination is no longer necessary.

Judgment will now be entered. It is

ORDERED that judgment is herein entered against claims 124-138 of junior party CHRISTOPHER R. CORDING's involved application 10/400,067, and that junior party CHRISTOPHER R. CORDING is not entitled to claims 124-138 of its involved application 10/400,067;

FURTHER ORDERED that judgment is herein entered against claims 8-10 and 27 of senior party RICHARD J. RICHARDSON and BENNIE REED DOWNING's involved Patent No. 6,606,832, and that senior party RICHARD J. RICHARDSON and BENNIE REED DOWNING is not entitled to claims 8-10 and 27 of its involved Patent No. 6,606,832;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205;

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

April 7, 2005

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By Facsimile:

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