

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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SCOTT M. CLARK  
Junior Party,<sup>1</sup>

v.

HOWARD M. CHANDLER  
Senior Party,<sup>2</sup>

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Patent Interference No. 103,701

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Before URYNOWICZ, RONALD H. SMITH and SOFOCLEOUS, Administrative Patent Judges.

RONALD H. SMITH, Administrative Patent Judge.

Judgment

Chandler, the senior party, has filed a concession of priority which, pursuant to 37 CFR § 1.662(a), is treated as a request for entry of an adverse judgment as to all claims which correspond to the count.

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<sup>1</sup> Application 07/738,321, filed July 31, 1991.

<sup>2</sup> Application 07/706,639, filed May 29, 1991. Assignor to Smith Kline Diagnostic, Inc., a Delaware Corp.

Interference No. 103,701

Accordingly, judgment as to the subject matter of the count in issue is hereby awarded to Scott M. Clark, the junior party. Chandler is not entitled to a patent containing claims 5, 7, 8, 14 and 15 corresponding to the count. Clark is entitled to a patent containing claims 1-36.

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STANLEY M. URYNOWICZ, JR.	)	
Administrative Patent Judge	)	
	)	
	)	
RONALD H. SMITH	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
	)	
	)	
MICHAEL SOFOCLEOUS	)	
Administrative Patent Judge	)	
	)	

Interference No. 103,701

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