

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 62

Filed by: Trial Section Merits Panel  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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ARTHUR P. SCHAAP and HASHEM AKHAVAN-TAFTI,

Junior Party,  
(Application 08/999,930)

v.

MASAKATSU MATSUMOTO,

Senior Party,  
(Patent 5,650,525)

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Patent Interference 104,478

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Before: McKELVEY, Senior Administrative Patent Judge, and  
SCHAFER and MEDLEY, Administrative Patent Judges.

McKELVEY, Senior Administrative Patent Judge.

**JUDGMENT PURSUANT TO 37 CFR § 1.662**

Upon consideration of MATSUMOTO REQUEST FOR ADVERSE  
JUDGMENT (Paper 59), it is

ORDERED that judgment on priority as to Count 1 (Paper 1, page 47), the sole count in the interference, is awarded against senior party MASAKATSU MATSUMOTO.

FURTHER ORDERED that senior party MASAKATSU MATSUMOTO is not entitled to a patent containing claims 1-4 (corresponding to Count 1) of U.S. Patent 5,650,525, issued 22 July 1997, based on application 08/403,212, filed 13 March 1995.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/999,930 and U.S. Patent 5,650,525.

_____	)	
FRED E. McKELVEY, Senior	)	
Administrative Patent Judge	)	
	)	
	)	
_____	)	
RICHARD E. SCHAFER	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
	)	
_____	)	
SALLY C. MEDLEY	)	
Administrative Patent Judge	)	

104,478

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