

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 34

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MICHAEL DROR
and PAUL TRESCONY
Junior Party¹

V.

STANTON J. ROWE
Senior Party²

Interference No. 103,157

JUDGMENT

Before METZ, MARTIN, and PATE, Administrative Patent Judges.

PATE, Administrative Patent Judge.

On October 29, 1997 the Administrative Patent Judge ordered the junior party to show cause why judgment should not be

¹ Patent No. 5,102,402, granted April 7, 1992, based on 07/637,436, filed January 4, 1991. Assignor to Medtronic, Inc., a Corp. of MN.

² Application 07/865,781, filed April 7, 1992. Accorded benefit of Application 07/322,929, filed March 14, 1989. Assignor to Cordis Corporation, A corp. of FL.

entered against them on the ground of failure to file a preliminary

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statement. The junior party has not filed a response to the order. Accordingly, the following judgment is entered.

Judgment

Judgment in Interference No. 103,157 is hereby entered against Michael Dror and Paul Trescony, the junior party. Michael Dror and Paul Trescony are not entitled to their patent containing claims 1 through 8, 10 through 15, and 17 through 21, which claims correspond to the count in interference. Judgment is entered in favor of Stanton J. Rowe, the senior party. Stanton J. Rowe is entitled to a patent containing claims 53 through 56, which claims correspond to the count in interference.

ANDREW H. METZ)
Administrative Patent Judge))
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WILLIAM F. PATE, III) BOARD OF PATENT
Administrative Patent Judge) APPEALS
) AND
) INTERFERENCES
)

JOHN C. MARTIN)
Administrative Patent Judge)

Interference No. 103,157

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