

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(2) is not binding precedent of the Board.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. 62

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JOHN THOMPSON, GIORGIO DI PALMA
and CHARLES R. BOTTS

Junior Party¹

v.

GERARD B. NORMAND, KEVIN DURAND,
JOSEPH B. SEALE and DEAN L. KAMEN

Senior Party²

¹ Patent 5,167,631, granted December 10, 1992, based on Application 07/761,306, filed September 17, 1991. Assignors to IMED Corporation.

² Application 07/855,176, filed March 20, 1992. Accorded benefit of Application 07/748,346, filed August 22, 1991, abandoned; which is a continuation-in-part of Application 07/673,835, filed March 22, 1991, abandoned; which is a continuation-in-part of Application 07/615,612, filed November 19, 1990, abandoned; which is a continuation-in-part of Application 07/614,806, filed November 19, 1990, abandoned; which is a continuation-in-part of Application 07/523,801, filed May 15, 1990, now U.S. Patent 5,088,515, issued February (continued...)

Interference No. 103,347

Patent Interference No. 103,347

Before METZ, PATE and HANLON, Administrative Patent Judges.

PATE, Administrative Patent Judge.

JUDGMENT UNDER 37 CFR § 1.602(a)(2)

On December 17, 1997, an Administrative Patent Judge mailed an Order to Show Cause under 37 CFR § 1.602(a) to the junior party in this interference upon being informed that the parties now had a common assignee. The junior party has not responded to this Order to Show Cause. Accordingly, the following judgment under 37 CFR § 1.602(a)(2) is entered.

Judgment

²(...continued)
18, 1992; which is a continuation-in-part of Application 07/345,387, filed May 1, 1989, now U.S. Patent 4,976,162, issued December 11, 1990; which is a continuation-in-part of Application 07/092,481, filed September 3, 1987, now U.S. Patent 4,826,482, issued May 2, 1989; which is a continuation-in-part of Application 07/022,167, filed March 5, 1987, now U.S. Patent 4,808,161, issued February 28, 1989; which is a continuation-in-part of Application 06/836,023, filed March 4, 1986, now U.S. Patent 4,778,451, issued October 18, 1988. Assignors to DEKA Products Ltd.

Interference No. 103,347

Judgment in Interference No. 103,347 is hereby entered against John Thompson, Giorgio di Palma, and Charles R. Botts, the junior party. John Thompson, Giorgio di Palma, and Charles R. Botts are not entitled to their patent containing claims 1 and 20, which claims correspond to the count in interference.

Judgment is entered in favor of Gerard B. Normand, Kevin Durand, Joseph B. Seale, and Dean L. Kamen, the senior party. Gerard B. Normand, Kevin Durand, Joseph B. Seale, and Dean L. Kamen are entitled to a patent containing claim 25, which claim corresponds to the count in interference.

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

Interference No. 103,347

ADRIENE LEPIANE HANLON)
Administrative Patent Judge)

WFP:psb

Interference No. 103,347

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