

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 46

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAX LEMKE,

Junior Party,¹

v.

JOHN C. TERRY, FRANK E. BROWN, AND STEPHEN L. RAWLE,

Senior Party.²

Patent Interference No. 103,362

JUDGMENT

Metz, Pate, and Martin, Administrative Patent Judges.

Martin, Administrative Patent Judge.

In accordance with Lemke's January 10, 1997, request for entry of adverse judgment, judgment as to the subject matter

¹ Patent No. 4,978,031, issued 12/18/90 based on Application 07/376,663, filed 7/7/89. Assignee: Wilkinson Sword GMBH.

² Application 07/768,284, filed 11/13/91. Accorded benefit of PCT/US90/01853, filed 4/4/90, and British Application 8908329.9, filed 4/13/89. Assignee: The Gillett Company.

Interference No. 103,362

of the count is hereby entered against Lemke, who is therefore not entitled to a patent including his application claims that correspond to the count, i.e., claims 1-18. As a result, judgment as to the subject matter of the count is awarded to Terry et al., who are therefore entitled to a patent including their claims that correspond to the count, e.e., claims 1-6.

_____)	
Andrew H. Metz)	
Administrative Patent Judge)	
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_____)	BOARD OF PATENT
William F. Pate, III)	
Administrative Patent Judge)	APPEALS AND
)	
)	INTERFERENCES
)	
_____)	
John C. Martin)	
Administrative Patent Judge)	

Interference No. 103,362

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