

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 32

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
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NATARAJAN SIVASUBRAMANIAN and BRIAN A. FEDERICI

Junior Party,<sup>1</sup>

v.

EDWARD R. WILCOX, DAVID L. EDWARDS, GEORGE E. SCHWAB,  
MARK THOMPSON and PAUL CULVER

Senior Party.<sup>2</sup>

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Interference No. 103,766  
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Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

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<sup>1</sup> Application 07/518,575, filed May 3, 1990, now U.S. Patent No. 5,143,905, issued September 1, 1992. Assignors to The Regents of the University of California.

<sup>2</sup> Application 08/438,465, filed May 10, 1995. Accorded Benefit of U.S. Applications 07/983,341, filed November 30, 1992, now U.S. Patent No. 5,453,370, issued September 26, 1995; and 07/187,167, filed April 28, 1988, now U.S. Patent No. 5,290,914, issued March 1, 1994. Assignors to Mycogen Corp.

Interference No. 103,766

SOFOCLEOUS, Administrative Patent Judge.

JUDGMENT

Sivasubramanian et al., the junior party, have 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.

Accordingly, judgment as to the subject matter of the count in issue is hereby awarded to Edward R. Wilcox, David L. Edwards, George E. Schwab, Mark Thompson and Paul Culver, the senior party. Natarajan Sivasubramanian and Brian A. Federici, the junior party, are not entitled to a patent containing claims 1 to 13 and 19 as it depends on claim 1, 20 and 21.

STANLEY M. URYNOWICZ, JR.	)	
Administrative Patent Judge	)	
	)	
	)	
	)	
MICHAEL SOFOCLEOUS	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
	)	
	)	
MARY F. DOWNEY	)	
Administrative Patent Judge	)	

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Attorney for Sivasubramanian et al.:

Ginger R. Dreger  
Knobbe, Martens, Olson & Bear  
Sixteenth Floor  
620 Newport Center Dr.  
Newport Beach, CA 92660

Attorney for Wilcox et al.:

Jeff Lloyd  
Suite A-1  
2421 N.W. 41st St.  
Gainesville, FL 32606