

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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PAUL E. NAGEL and ROBIN T. CASTELL

Junior Party,<sup>1</sup>

v.

JOSEPH B. SAINTON

Senior Party,<sup>2</sup>

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Patent Interference No. 103,916

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<sup>1</sup> Application 08/148,661 filed November 5, 1993. Assignors to Compaq Computer Corporation. Accorded benefit of U.S. Application 07/973,625 filed November 9, 1992, now Patent No. 5,428,671 issued June 27, 1995; and U.S. Application 07/972,949 filed November 6, 1992, now abandoned.

<sup>2</sup> Application 07/863,568 filed April 6, 1992, now Patent No. 5,249,218 issued September 28, 1993. Assignor to Spectrum Information Technologies, Inc.

Interference No. 103,916

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

URYNOWICZ, Administrative Patent Judge.

JUDGMENT

Nagel et al., the junior party, has 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 count 1, the sole count, is hereby awarded to Joseph B. Sainton, the senior party. Nagel et al. is not entitled to a patent containing claims 9, 10, 12, 14, 16, 17, 19-21, 23-30 and 32-34 corresponding to the count.

STANLEY M. URYNOWICZ, JR. )  
Administrative Patent Judge )

MICHAEL SOFOCLEOUS ) BOARD OF PATENT  
Administrative Patent Judge ) APPEALS AND

Interference No. 103,916

) INTERFERENCES

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MARY F. DOWNEY )

Administrative Patent Judge )

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Pravel, Hewitt, Kimball and Krieger  
1177 West Loop South  
Tenth Floor  
Houston, TX 77027-9095

Charles M. Leedon, Jr.  
Sixbey, Friedman, Leedom & Ferguson  
2010 Corporate Ridge, Ste. 600  
McLean, VA 22102