

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ALI M. NASR
Junior Party¹

v.

DOUGLAS J. VOLDEN, RICHARD
HOSANNA and JAMES P. NETZEL
Senior Party²

Interference No. 103,927

JUDGMENT

Before METZ, PATE and MARTIN, Administrative Patent Judges.

PATE, Administrative Patent Judge.

¹ Patent 5,288,213, granted February 22, 1994, based on Application 07/978,628, filed November 19, 1992. Assignor to PMC Liquiflo Equipment Co., Inc., Warren, New Jersey.

² Application 08/390,648, filed February 14, 1995. Accorded benefit of Application 07/986,362, filed December 7, 1992 and Application 07/491,980, filed March 12, 1990.

Interference No. 103,927

On January 23, 1998, an Order to Show Cause was entered against junior party Nasr for failure to file a preliminary statement under 37 CFR § 1.640(d)(2). Junior party Nasr has failed to respond to the Order. Accordingly, the following judgment is entered.

Judgment

Judgment in Interference No. 103,927 is hereby entered against Ali M. Nasr, the junior party, on the ground of priority of invention. Ali M. Nasr is not entitled to his patent claims 1 through 13, which claims correspond to the count in interference. Judgment is entered in favor of Douglas J. Volden, Richard Hosanna, and James P. Netzel, the senior party. Douglas J. Volden, Richard Hosanna, and James P. Netzel are entitled to a patent containing claims 49 through 58, which claims correspond to the count in interference.

ANDREW H. METZ)
Administrative Patent Judge))
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Interference No. 103,927

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| |) | BOARD OF PATENT |
| WILLIAM F. PATE, III |) | |
| Administrative Patent Judge |) | APPEALS AND |
| |) | |
| |) | INTERFERENCES |
| |) | |
| JOHN C. MARTIN |) |) |
| Administrative Patent Judge |) | |

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