

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 30

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

KARI ALITALO

Junior Party,¹

v.

AXEL ULLRICH, MIKHAIL GISHIZKY
and IRMINGARD SURES

Senior Party.²

Interference No. 104,006

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

SOFOCLEOUS, Administrative Patent Judge.

¹ Application No. 08/320,432, filed October 7, 1994.

² Application No. 08/426,509, filed April 21, 1985. Accorded Benefit of U.S. Application No. 08/233,545, filed April 22, 1994. Assignors to Max Planck Gesellschaft Zur Förderung der Wissenschaften E.V. and Sugen, Inc.

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JUDGMENT

Alitalo, the junior party, has filed a request for entry of an adverse judgment. Pursuant to 37 CFR § 1.662(a), judgment as to the subject matter of the count in issue is hereby awarded to Axel Ullrich, Mikhail Gishizky and Irmingard Sures, the senior party. Accordingly, Kari Alitalo is not entitled to a patent containing claim 1 corresponding to the count.

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

Interference No. 104,006

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