

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 100

Filed by: Trial Section Merits Panel  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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PETER C. MELTZER, BERTHA K. MADRAS, ALAN DAVISON  
PAUL BLUNDELL, ASHFAG MAHMOOD and ALUN G. JONES,

Junior Party,  
(Application 08/552,584),

v.

HANK KUNG, SANATH MEEGALLA and MEI-PING KUNG,

Senior Party  
(Application 08/649,782).

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Patent Interference No. 104,065

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Before: McKELVEY, Senior Administrative Patent Judge, and  
SCHAFFER and LEE, Administrative Patent Judges.

McKELVEY, Senior Administrative Patent Judge.

**JUDGMENT PURSUANT TO 37 CFR § 1.662**

Upon consideration of the REQUEST FOR ENTRY OF ADVERSE  
JUDGMENT filed by Kung (Paper 98), it is

ORDERED that judgment on priority as to Count 3 is awarded against senior party HANK KUNG, SANATH MEEGALLA and MEI-PING KUNG.

FURTHER ORDERED that judgment on priority as to Count 3 is awarded in favor of junior party PETER C. MELTZER, BERTHA K. MADRAS, ALAN DAVISON, PAUL BLUNDELL, ASHFAG MAHMOOD and ALUN G. JONES.

FURTHER ORDERED that, on the record before the Board of Patent Appeals and Interferences, junior party PETER C. MELTZER, BERTHA K. MADRAS, ALAN DAVISON, PAUL BLUNDELL, ASHFAG MAHMOOD and ALUN G. JONES is entitled to a patent containing claims 1-26 and 29-30 (corresponding to Count 3) of application 08/649,782, filed May 17, 1996.

FURTHER ORDERED that senior party HANK KUNG, SANATH MEEGALLA and MEI-PING KUNG is not entitled to a patent containing claims 1, 6, 8-9, 23, 30-35, 42-44 and 53 (corresponding to Count 3) of application 08/552,584, filed November 3, 1995.

FURTHER ORDERED that judgment on priority as to Count 4 is awarded against senior party HANK KUNG, SANATH MEEGALLA and MEI-PING KUNG.

FURTHER ORDERED that judgment on priority as to Count 4 is awarded in favor of junior party PETER C. MELTZER,

BERTHA K. MADRAS, ALAN DAVISON, PAUL BLUNDELL, ASHFAG MAHMOOD  
and ALUN G. JONES.

FURTHER ORDERED that, on the record before the Board  
of Patent Appeals and Interferences, junior party PETER C.  
MELTZER, BERTHA K. MADRAS, ALAN DAVISON, PAUL BLUNDELL, ASHFAG  
MAHMOOD and ALUN G. JONES is entitled to a patent containing  
claims 27-28 (corresponding to Count 4) of application  
08/649,782, filed  
May 17, 1996.

FURTHER ORDERED that senior party HANK KUNG, SANATH  
MEEGALLA and MEI-PING KUNG is not entitled to a patent  
containing claims 40-41 (corresponding to Count 4) of  
application 08/552,584, filed November 3, 1995.

FURTHER ORDERED that if there is a settlement  
agreement, attention is directed to 35 U.S.C. § 135(c) and  
37 CFR § 1.661.

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FRED E. MCKELVEY, Senior )  
Administrative Patent Judge )  
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RICHARD E. SCHAFER ) BOARD OF PATENT  
Administrative Patent Judge ) APPEALS AND  
 ) INTERFERENCES

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JAMESON LEE )  
Administrative Patent Judge )

cc (via First Class Mail)

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