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Paper 31

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

ALFRED AGUILAR

Junior Party
(Application 09/157,670),

v.

RONALD R. WATSON,

Senior Party
(Patent 6,129,029).

Patent Interference No. 104,572

Before McKELVEY, Senior Administrative Patent Judge, and
SPIEGEL and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

JUDGMENT PURSUANT TO 37 CFR § 1.662

On November 29, 2001, the board received from Aguilar a
paper entitled "STIPULATION BY AGUILAR AND WATSON FOR

ABANDONMENT OF CONTEST", in which Aguilar "hereby abandons the contest as to all counts of said interference" (Paper 30).

Abandonment of the contest as to all counts of the interference will be treated as a request for entry of adverse judgment against the applicant as to all claims corresponding to all counts. 37 CFR § 1.662(a).

Upon consideration of Aguilar's abandonment of the contest, it is

ORDERED that judgment on priority as to Counts 1 and 2 (Paper 1, pages 5 and 6) is awarded against junior party ALFRED AGUILAR.

FURTHER ORDERED that junior party ALFRED AGUILAR is not entitled to a patent containing claims (1) 4 and (2) 5 and 7 (corresponding to Counts 1 and 2 respectively) of application 09/157,670, filed 21 September 1998.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 09/157,670 and U.S. Patent 6,129,029.

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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_____)	BOARD OF PATENT
CAROL A. SPIEGEL)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES
)	
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_____)	
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Administrative Patent Judge)	

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