

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 19

Filed by: Trial Section Motions Panel
Box Interference
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

**OLGA BANDMAN, SURYA GOLI
AND LYNN MURRY**

Junior Party
(U.S. Patent No. 5,958,699),

v.

**SEISHI KATO, TOMOKO YAMAGUCHI,
SHINGO SEKINE AND KOUJU KAMATA**

Senior Party,
(U.S. Patent Application No. 09/671,483).

Patent Interference No. **105,045** (MPT)

Before: LEE, SPIEGEL and TIERNEY, Administrative Patent Judges.
TIERNEY, Administrative Patent Judge.

FINAL JUDGMENT

Bandman has filed a request for entry of judgment in favor of Senior Party Kato.
(Bandman Request for Entry of Adverse Judgment, Paper No. 17). As Bandman has requested
adverse judgment, judgment on priority as to Counts 1 and 2 is entered against Bandman. 37
C.F.R. §1.662.

Additionally, it is noted that the Board has received a copy of “Bandman’s Filing of Agreements Under 35 U.S.C. §135(c).” (Paper No. 18).

Upon consideration of the record, it is:

ORDERED that judgment on priority as to Counts 1 and 2, the counts in the interference, is awarded *against* Bandman.

FURTHER ORDERED that Bandman is not entitled to a patent containing claims 1-2 of Bandman, U.S. Patent No. 5,958,699 as they correspond to Count 1.

FURTHER ORDERED that Bandman is not entitled to a patent containing claims 1-4 of Bandman, U.S. Patent No. 5,958,699 as they correspond to Count 2.

FURTHER ORDERED that a copy of this final decision shall be placed and given a paper number in the file of Bandman, U.S. Patent No. 5,958,699 and Kato et al., U.S. Application No. 09/671,483.

JAMESON LEE)
Administrative Patent Judge)
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CAROL A. SPIEGEL)
Administrative Patent Judge)
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MICHAEL P. TIERNEY)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS
AND
INTERFERENCES

cc (via Facsimile)

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