

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 66

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

SCOTT L. JAHRMARKT, FERNANDO M. VIERA
and J. WILLIAM BOX
Junior Party¹

v.

JAMES J. FRASSICA
Senior Party²

Interference No. 103,651

JUDGMENT

Before METZ, PATE, and MARTIN, Administrative Patent Judges.

PATE, Administrative Patent Judge.

¹ Patent No. 5,113,872, granted May 19, 1992, based on Application No. 07/510,523, filed April 18, 1990. Assignor to Cordis Corporation, A corp. of FL.

² Application 07/681,438, filed April 3, 1991. Assignor to C.R. Bard, Inc., A Corp. of NJ.

Interference No. 103,651

Now comes junior party Jahrmarkt et al. with a request for entry of adverse judgment under 37 C.F.R. § 1.662(a). Accordingly, the following judgment is entered.

Judgment

Judgment in Interference No. 103,651 is entered against Scott L. Jahrmarkt, Fernando M. Viera, and J. William Box, the junior party. Scott L. Jahrmarkt, Fernando M. Viera, and J. William Box are not entitled to their patent containing claims 1, 4, 6-9, and 11-15, which claims correspond to the count in interference. Judgment is entered in favor of James J. Frassica, the senior party. James J. Frassica is entitled to his application containing claims 1-4, 6, 9, and 10, which claims correspond to the count in interference.

ANDREW H. METZ)	
Administrative Patent Judge))	
)	
)	
)	
)	
WILLIAM F. PATE, III)	BOARD OF PATENT
Administrative Patent Judge))	APPEALS
)	AND

Interference No. 103,651

WFP/dal