

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 26

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

RAINER EKETORP
Junior Party¹

v.

ROBERT A. TENOLD
Senior Party²

Interference No. 103,722

JUDGMENT

¹ Application 07/778,870, filed December 24, 1991, now Patent No. 5,229,498, granted July 20, 1993. Accorded Benefit of U.S. PCT/SE90/00442, filed June 20, 1990, now Patent No. WO 91/00290, granted January 10, 1991. Assignee for Kabi Pharmacia AB.

² Application 08/276,861, filed July 18, 1994. Accorded Benefit of U.S. Ser. Nos. 07/848,439, filed March 9, 1992, now Patent No. 5,250,663, granted October 5, 1993; 07/511,362, filed April 19, 1990. Assignee for Bayer Corporation.

Interference No. 103,722

Before URYNOWICZ, SOFOCLEOUS and DOWNEY, Administrative Patent Judges.

DOWNEY, Administrative Patent Judge.

Interference No. 103,722

Eketorp, the junior party, has filed a concession of priority and requests entry of an adverse judgment as to all of his claims which correspond to the count (Paper No. 23).

Accordingly, JUDGMENT as to the subject matter of the count in issue is hereby awarded to Robert A. Tenold, the senior party and is entered against Rainer Eketorp. Rainer Eketorp, the junior party, is not entitled to his patent containing claims 1-20 corresponding to the count.

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

Interference No. 103,722

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