

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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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. 11

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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TERRANCE C. WALSH  
Junior Party<sup>1</sup>

v.

SCOTT USHER  
and TERENCE C. WALSH  
Senior Party<sup>2</sup>

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Interference No. 103,928

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**JUDGMENT**

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Before METZ, PATE and MARTIN, Administrative Patent Judges.

PATE, Administrative Patent Judge.

Now comes the junior party, Terence C. Walsh with an abandonment of the application involved in the interference, which under 37 C.F.R. § 1.662(a) is to be treated as a request

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<sup>1</sup> Application Serial Number 08/563,784, filed November 27, 1998.

<sup>2</sup> Application Serial Number 08/259,385, filed June 14, 1994.

for entry of adverse judgment. Accordingly, the following judgment is entered.

Interference No. 103,928

Judgment

Judgment in Interference No. 103,928 is hereby entered in favor of the senior party, Scott Usher and Terrence C. Walsh. Scott Usher and Terrence C. Walsh are entitled to a patent containing claims 1-9, 13-19, 21-26, and 27-33, which claims correspond to counts 1-5 of the interference. Judgment is entered against Terrence C. Walsh, the junior party. Terrence C. Walsh is not entitled to a patent containing claims 1-9, 13-19, 21-25, and 27-33, which claims correspond to counts 1-5 of the interference.

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

JOHN C. MARTIN )  
Administrative Patent Judge )

WFP/dal



