

The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper 15

Filed by: Trial Section Merits Panel  
Box Interference  
Washington, D.C. 20231  
Tel: 703-308-9797  
Fax: 703-305-0942

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

JON R. CHANCE,

Junior Party,  
(Application 08/693,550),

v.

WILLIAM M. DUNCAN, Jr.,

Senior Party  
(Patent 5,547,925).

---

Patent Interference No. 104,339

---

Before: McKELVEY, Senior Administrative Patent Judge, and  
LEE and GARDNER-LANE, Administrative Patent Judges.

McKELVEY, Senior Administrative Patent Judge

**FINAL DECISION**

I.

Upon consideration of the ORDER entered 27 July 2000  
(Paper 13), the board having received no response from

- (1) Jon R. Chance (junior party) a/k/a J. Richard Chance or
- (2) Jill Chance a/k/a Jill Fourcade Chance (a possible owner of an undivided interest in the Chance application involved in the interference and former wife of Jon R. Chance),

it is

ORDERED that judgment on priority as to Count 1 (Paper 1, page 47), the sole count in the interference, is awarded against junior party Jon R. Chance a/k/a J. Richard Chance.

FURTHER ORDERED that junior party Jon R. Chance a/k/a J. Richard Chance is not entitled to a patent containing claims 28-42 (corresponding to Count 1) of application 08/693,550, filed 7 August 1996.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/693,550, filed 7 August 1996 and U.S. Patent 5,547,925, granted 20 August 1996, based on application 08/200,677, filed 23 February 1994.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

II.

Upon consideration of a MOTION TO WITHDRAW AS COUNSEL FOR  
JON R. CHANCE (Paper 14), and for the reasons given therein,  
it is

ORDERED that the MOTION is granted.

FURTHER ORDERED that William E. Johnson, Jr., Esq.,  
Guy E. Matthews, Esq., and the Matthews Firm are allowed to  
withdraw as counsel for Jon R. Chance.

_____	)	
FRED E. McKELVEY, Senior	)	
Administrative Patent Judge	)	
	)	
	)	
_____	)	
JAMESON LEE	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
	)	
_____	)	
SALLY-GARDNER LANE	)	
Administrative Patent Judge	)	

cc (via First Class Mail):

Attorney for Chance:

William E. Johnson, Jr., Esq.  
Guy E. Matthews, Esq.  
THE MATTHEWS FIRM  
1900 West Loop South  
Suite 1800  
Houston, TX 77207

Tel: 713-355-4200  
Fax: 713-355-9689  
E-mail: wjohnson@matthewsfirm.com  
E-mail: gmatthews@matthewsfirm.com

Attorney for Duncan  
(real party in interest  
Integrity Industries, Inc.):

W. Ronald Robins, Jr., Esq.  
VINSON & ELKINS L.L.P.  
2300 First City Tower  
1001 Fannin Street  
Houston, TX 77002-6760

Tel: 713-758-2452  
Fax: 713-615-5232  
E-mail: rrobins@velaw.com

Gary C. Cohn  
GARY C. COHN PLLC  
4010 Lake Washington Boulevard NE  
Suite 105  
Kirkland, WA 98033

Tel: 425-576-1656  
Fax: 425-576-1756  
E-mail: garycohn@seattlepatent.com  
Fax: None  
E-mail: None

Copy also sent to:

Jill Chance  
15013 Mary Street

Kiln, MS 39556

Tel: 228-255-0564