

**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opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.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 18

Filed by: Trial Section  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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SURJIT S. CHADHA and CHARLES M. WATKINS,

Junior Party,  
(Patent 5,788,881),

v.

HITOSHI TOKI, FUMIAKI KATOAKA,  
SHIGEO ITOH and YOSHITAKA SATO,

Senior Party  
(Application 08/720,154).

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Patent Interference No. 104,389

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Before: McKELVEY, Senior Administrative Patent Judge, and  
SCHAFFER and LEE, Administrative Patent Judges.

PER CURIAM.

**JUDGMENT PURSUANT TO 37 CFR § 1.662**

Upon consideration of the TOKI REQUEST FOR TERMINATION OF  
INTERFERENCE (Paper 17), it is

ORDERED that senior party Hitoshi Toki, Fumiaki Kataoka, Shigeo Itoh and Yoshitaka Sato is not entitled to a patent containing claims 9-11, 15 and 18 (corresponding to Count 1) of application 08/720,154, filed 25 September 1996.

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

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FRED E. McKELVEY, Senior	)	
Administrative Patent Judge	)	
	)	
	)	
_____	)	
RICHARD E. SCHAFER	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
	)	
_____	)	
JAMESON LEE	)	
Administrative Patent Judge	)	

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