

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIVERSAL DISPLAY CORPORATION

(Inventors: Jason Brooks, Glenn Morello, Chuanjun Xia, and Jun Deng)
Junior Party
(Patent 9,312,505),

v.

MERCK PATENT GmbH

(Inventors: Philipp Stoessel and Esther Breuning)
Senior Party
(Application 14/122,844).

Patent Interference No. 106,076 (DK)

JUDGMENT

37 C.F.R. § 41.127(b)

Before SALLY GARDNER LANE, JAMES T. MOORE, and DEBORAH KATZ,
Administrative Patent Judges.

KATZ, *Administrative Patent Judge.*

On 27 February 2018, counsel for Junior Party notified the Board that the Judgment issued the same day incorrectly listed the claim numbers of the claims canceled in patent 9,312,505. (*See Paper 40.*) In light of the error, that Judgment

Interference 106,076

(Paper 40) is VACATED and this new Judgment is entered.

On 24 February 2018 Junior Party Universal Display Corporation (“UDC”) filed a request for adverse judgment in light of a settlement agreement with Senior Party Merck Patent GmbH. (*See* Paper 37.) The parties have submitted a copy of the settlement agreement separately from the file of this interference, pursuant to 35 U.S.C. § 135(c), 37 C.F.R. § 41.205, and ¶ 205 of the Standing Order. (*See* Paper 38.) We GRANT UDC’s request.

Accordingly, it is ORDERED that judgment is entered against Junior Party Universal Display Corporation as to Count 1 and that claims 1–15 of patent 9,312,505 are CANCELED. *See* 35 U.S.C. § 135(a).

It is further ORDERED that a copy of this judgment be entered into the administrative record of patent 9,312,505 and application 14/122,844.

In light of the error in the first issued Judgment, it has become apparent that the Declaration in this interference incorrectly listed the parties’ claims. Therefore, it is further ORDERED that Part F of the Declaration issued 8 May 2017 (Paper 1 at 4:12–25) be corrected as follows:

Part F. Count and claims of the parties

Count 1

Claim 18 of Application 14/122,844 or claim 1 of Patent 9,312,505.

The claims of the parties are:

UDC: **1–15**
Merck: **18–28 and 31–39**

The claims of the parties which correspond to Count 1 are:

UDC: **1–15**
Merck: **18–28 and 31–39**

Interference 106,076

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

UDC: none
Merck: none

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