

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JX Nippon Mining & Metals Corporation,
Junior Party
(Application 14/372,849
Inventors: Atsushi Sato and Hideo Takami),

v.

Mitsui Mining & Smelting Co., Ltd.,
Senior Party
(Patent 9,011,653
Inventor: Makoto Ikeda).

Patent Interference No. 106,084 (JTM)
(Technology Center 1700)

Before: JAMES T. MOORE, JEFFREY B. ROBERTSON, and
DEBORAH KATZ, *Administrative Patent Judges.*

MOORE, *Administrative Patent Judge.*

JUDGMENT
37 C.F.R. § 41.127(b)(1)

1 On 25 January 2018, Junior Party JX Nippon Mining & Metals Corporation
2 indicated by email that they requested adverse judgment. Ex. 3001. Counsel was
3 informed the informal submission would be treated as a request for adverse
4 judgment. *Id.*

5 As Junior Party has requested for adverse judgment pursuant to 37 CFR §
6 41.127(b)(1), we enter judgment against Junior Party.

7 It is ORDERED that claims 1–5, 7, 9–13, and 15-17 of application
8 14/372,849 be FINALLY REFUSED (see Declaration, Paper 1, at 3; 35 U.S.C. §
9 135(a)(1)).

10 It is FURTHER ORDERED that a copy of this judgment be entered into the
11 files of application 14/372,849 and Patent 9,011,653.

12 It is FURTHER ORDERED that the parties are directed to 35 USC § 135(c)
13 and 37 C.F.R. § 41.205 regarding the filing of settlement agreements.

cc (via e-mail):

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