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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HICHAM FENNIRI,
USHA DEVI HEMRAZ, THOMAS J. WEBSTER,
and YUPENG CHEN

Junior Party,
(Application 14/738,545)

v.

THOMAS J. WEBSTER,
QIAN CHEN, and YUPENG CHEN,

Senior Party,
(Application 13/977,138)

Patent Interference 106,085
(Technology Center 1600)

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

LANE, *Administrative Patent Judge.*

Judgment - Bd.R. 127(b)

1 Junior party Fenniri requests adverse judgment. Bd. R. 127(b). (Paper 43).

2 The request is granted.

3 It is

4 ORDERED that judgment on priority of invention as to Count 1
5 (Declaration (Paper 1, 4), the sole count of the interference, is entered against
6 junior party HICHAM FENNIRI, USHA DEVI HEMRAZ, THOMAS J.
7 WEBSTER, and YUPENG CHEN;

8 FURTHER ORDERED that the junior party claims corresponding to
9 Count 1, i.e., claims 1, 2, 4-11, 13, 14, 16, 18, 19, 21, 23-26, 28, 30-36 of
10 application 14/738,545 (Paper 1, 5), are FINALLY REFUSED; 35 U.S.C.
11 §135(a);¹

12 FURTHER ORDERED that the parties are directed to 35 U.S.C.
13 §135(c) and to Bd. R. 205 regarding the filing of settlement agreements;

14 FURTHER ORDERED that a copy of this judgment shall be entered
15 into the administrative record of the involved junior party and the involved senior
16 party applications; and

17 FURTHER ORDERED that, if a party seeks judicial review, the party
18 must file a notice with the Board within seven days of initiating judicial review.
19 Bd. R. 41.8(b). We direct the parties' attention to *Biogen Idec MA, Inc., v. Japanese*
20 *Foundation for Cancer Research*, 785 F.3d 648, 657 (Fed. Cir. 2015).

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¹ Any reference to a statute is to statute that was in effect on March 15, 2013 unless otherwise indicated. *See* Pub. L. 112-29, § 3(n), 125 Stat. 284, 293 (2011).