

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ANN J. SLADE,
DAYNA L. LOEFFLER, AARON M. HOLM,
and JESSICA C. MULLENBERG
(Patent 10,246,716)

v.

AHMED REGINA,
MATTHEW KENNEDY MORELL, PIERRE GEORGES LOUIS BERBEZY,
ELISABETH MARIE-ANNE IDA CHANLIAUD, and
BERNARD DUPERRIER,
(Application 15/440,652).

Patent Interference 106,110 (SGL)
(Technology Center 1600)

Before SALLY GARDNER LANE, RAE LYNN P. GUEST, and
DEBORAH KATZ, *Administrative Patent Judges.*

LANE, *Administrative Patent Judge.*

Judgment - Bd.R. 127(b)

1 Junior party Ann J. Slade, Dayna L. Loeffler, Aaron M. Holm, and Jessica
2 C. Mullenberg (Slade) filed a paper styled “SLADE REQUEST FOR ADVERSE
3 JUDGMENT – Bd.R. 127(b)”. (Request, Paper 22). In the Request, Slade states
4 “[p]ursuant to 37 C.F.R. § 41.127(b), the Party Slade et al. hereby abandons the
5 contest of this interference proceeding, and requests entry of adverse judgment
6 against itself and its real party in interest Arcadia Biosciences, Inc.” (Request,
7 Paper 22, 1).

8 The Request is GRANTED.

9
10 It is

11 ORDERED that judgment on priority of invention as to Count 1
12 (Declaration, Paper 1, 3), the sole count of the interference, is entered against
13 junior party Slade; Bd.R. 127(b) (4);

14 FURTHER ORDERED that the Slade claims corresponding to Count
15 1, i.e., claims 1-8 of patent 10,246,716 (Paper 1, 4), are CANCELLED; 35 USC
16 135(a);¹

17 FURTHER ORDERED that the parties are directed to 35 USC 135(c)
18 and to Bd. R. 205 regarding the filing of settlement agreements; and

19 FURTHER ORDERED that a copy of this judgment shall be entered
20 into the administrative record of the involved junior party patent and the involved
21 senior party application.

22
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).

Attorney for Party Slade:

Michael L. Goldman, Esq.
Edwin V. Merkel, Esq.
Tate L. Tischer, Esq.
PEPPER HAMILTON LLP
goldmann@pepperlaw.com
merkele@pepperlaw.com
tischnet@pepperlaw.com

Attorney for Party Regina:

Christopher L. North, Ph.D., Esq.
Todd R. Walters, Esq.
BUCHANAN, INGERSOLL & ROONEY P.C.
christopher.north@bipc.com
todd.walters@bipc.com

Gary Gershik, Esq.
COOPER & DUNHAM, LLP
ggershik@cooperdunham.com