

(117) Interference Practice - New Procedures
for Handling Interference Cases at the
Board of Patent Appeals and Interference

A Trial Section has been established within the Interference Division of the Board of Patent Appeals and Interferences. Three administrative patent judges, an interference administrator, a paralegal and a legal technician have been assigned to the Trial Section. Two additional interference administrators will be assigned to the Trial Section in the near future.

The purpose of the Trial Section is to handle what has been previously known as the interlocutory phase of interferences, including declaration of the interference and setting times for taking action during the preliminary motion, testimony and briefings phases of the interference.

The personnel currently assigned to the Trial Section are:

Fred E. McKelvey
Senior Administrative Patent Judge

Richard E. Schafer
Administrative Patent Judge

Jameson Lee
Administrative Patent Judge

Merrell C. Cashion, Jr.
Interference Administrator

Yolunda Townes
Paralegal

Sonja Despertt
Legal Technician

Questions regarding procedure to be used by the Trial Section may be made by telephone call placed to the paralegal or legal technician at 703-308-9797.

The Trial Section will normally assign times for taking action during the preliminary motion, testimony and briefing phases of interferences such that the interference will be ready for final hearing in eighteen (18) months. A final hearing will be set before a merits panel of judges designated by the Chief Judge.

Certain procedures will be adopted by the Trial Section with the view to making administration of interferences more efficient. Those procedures will be set out in a NOTICE DECLARING INTERFERENCE and orders relating to the setting of times for taking action during the preliminary motion and testimony/briefing phases of an interference.

A copy of the current version of the NOTICE DECLARING INTERFERENCE or the orders to be used in setting times for taking action during the preliminary motion and/or testimony/briefing phases of an interference may be obtained from the Trial Section by letter addressed as follows:

BOX INTERFERENCE
Trial Section
Washington, D.C. 20231

or by e-mail addressed as follows:

yolunda.townes@uspto.gov
or
sonja.despertt@uspto.gov

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BRUCE H. STONER, JR.
Chief Administrative Patent Judge

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