

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, UNIVERSITY
OF VIENNA, AND EMMANUELLE CHARPENTIER**

Applications 15/947,680; 15/947,700; 15/947,718; 15/981,807; 15/981,808;
15/981,809; 16/136,159; 16/136,165; 16/136,168; 16/276,361; 16/276,365;
16/276,368; 16/276,374; 16/136,175,

Junior Party

v.

SIGMA-ALDRICH CO., LLC

Application 15/456,204 ; Patents 10,731,181 ; 10,745,716

Senior Party

Patent Interference No. 106,132

**ORDER – Suspension of Proceeding
37 C.F.R. § 41.104(a)**

Before DEBORAH KATZ, *Administrative Patent Judge*.

1 Junior Party in this proceeding is also involved in Interference 106,115 (“the
2 ’115 Interference”), in which a final judgment against the senior party was issued
3 and is currently pending on appeal to the Federal Circuit. (*See* ’115 Interference,
4 Junior Party’s Notice of Appeal, Paper 2866, and Broad Notice of Cross-Appeal,

Interference 106,132

1 Paper 2867.) Some issues raised and decided during the '115 Interference are
2 similar to issues in this interference, potentially impacting a decision on priority in
3 this interference.

4 Accordingly, it is ORDERED that in the interest of not wasting resources,
5 the priority phase is suspended and a schedule will not be issued before the
6 decisions in the '115 Interference are final and the Federal Circuit has issued a
7 mandate. *See* 37 C.F.R. § 41.205(a) (“If an appeal to the U.S. Court of Appeals for
8 the Federal Circuit (under 35 U.S.C. 141) . . . has been filed the interference is
9 considered terminated when the appeal or civil action is terminated. . . . An appeal
10 to the U.S. Court of Appeals for the Federal Circuit, . . . is terminated when the
11 mandate is issued by the Court.”).

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