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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

The General Hospital Corp.

(Inventors: Dilip Paithankar, Richard Dean Blomgren, Richard Rox Anderson,
William A. Farinelli, Apostolos G. Doukas, and Gerard van Hamel Platerink)

Junior Party
(Patent 13/789,575),

v.

Sienna Biopharmaceuticals, Inc.

(Inventors: Todd James Harris and Alice Ann Chen Kim)

Senior Party
(Patent 8,821,941).

Patent Interference No. 106,037 (DK)
(Technology Center 1600)

Judgment
37 C.F.R. § 41.127

Before RICHARD E. SCHAFER, SALLY GARDNER LANE, and
DEBORAH KATZ, *Administrative Patent Judges.*

KATZ, *Administrative Patent Judge.*

Interference 106,037

1 As explained in the Decision on Motions (Paper 315), the claims of Junior
2 Party, The General Hospital Corporation (“GHC”), have been found to lack written
3 description support under 35 U.S.C. § 112, first paragraph.

4 It is ORDERED that claims 65-67 of GHC’s involved application
5 13/789,575 be FINALLY REFUSED.

6 It is further ORDERED that a party seeking judicial review timely serve
7 notice on the Director of the United States Patent and Trademark Office. 37 C.F.R.
8 §§ 90.1 and 104.2. *See also* 37 C.F.R. 41.8(b). Attention is directed to *Biogen Idec*
9 *MA, Inc., v. Japanese Foundation for Cancer Research*, 785 F.3d 648, 654–57
10 (Fed. Cir. 2015) (*cert. denied* 2016 WL 1078942, Mar 21, 2016) (determining that
11 pre-AIA § 146 review was eliminated for interference proceedings declared after
12 September 15, 2012).

13 It is further ORDERED that a copy of this judgment be entered into the
14 administrative records of GHC’s application 13/789,575 and Senior Party, Sienna
15 Biopharmaceuticals, Inc., patent 8,821,941.

Interference 106,037

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