



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: August 24, 2010

CBCA 1839, 2051

UNIVERSITY OF KANSAS and UNIVERSITY  
OF KANSAS CENTER FOR RESEARCH, INC.,

Appellants,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

William P. Atkins, George M. Sirilla, Benjamin L. Kiersz, and Christopher K. Dorsey  
of Pillsbury Winthrop Shaw Pittman LLP, McLean, VA, counsel for Appellant.

Mogbeyi E. Omatete, Office of the General Counsel, Department of Health and  
Human Services, Washington, DC, counsel for Respondent.

**VERGILIO**, Board Judge.

ORDER

The appellants, the University of Kansas and the University of Kansas Center for Research, Inc., filed appeals with this Board on December 18, 2009 (docketed as CBCA 1839) and June 18, 2010 (docketed as CBCA 2051), concerning patent ownership disputes arising under a contract, N01-CM-77017, with the Department of Health and Human Services through the National Institutes of Health and the National Cancer Institute. On August 23, 2010, the Board received from the parties a stipulated motion to dismiss which specifies that the parties have resolved their differences, the claims shall be dismissed with prejudice, and each party will bear its own costs and attorney fees. The appeal is hereby **DISMISSED WITH PREJUDICE**.

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JOSEPH A. VERGILIO  
Board Judge