

NOTE: This disposition is nonprecedential.

# United States Court of Appeals for the Federal Circuit

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**IN RE BARTON PATENT 533, LLC**

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2012-1116  
(Re-examination No. 90/010,064)

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Appeal from the United States Patent and Trademark  
Office, Board of Patent Appeals and Interferences.

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## **JUDGMENT**

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KEITH J. GRADY, Polsinelli Shughart PC, of St. Louis, Missouri, argued for the appellant. With him on the brief were GRAHAM L. W. DAY and ROBYN H. AST.

NATHAN K. KELLEY, Deputy Solicitor, Office of the Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for appellee. On the brief were RAYMOND T. CHEN, Solicitor, LYNNE E. PETTIGREW and ROBERT J. MCMANUS, Associate Solicitors.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, CLEVINGER, and MOORE,  
*Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

October 15 2012  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk