

NOTE: This disposition is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**THE TRUSTEES OF THE UNIVERSITY OF  
PENNSYLVANIA,**  
*Appellant*

v.

**ELI LILLY AND COMPANY,**  
*Appellee*

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2017-2397

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2016-  
00458.

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**JUDGMENT**

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BONNIE WEISS MCLEOD, Cooley LLP, Washington, DC,  
argued for appellant. Also represented by JAMES  
WHITTLE; JONATHAN GARWOOD GRAVES, Reston, VA;  
SUSAN KRUMPLITSCH, Palo Alto, CA.

MATTHEW AARON KUDZIN, Covington & Burling LLP,  
Washington, DC, argued for appellee. Also represented  
by JEREMY D. COBB, MICHAEL N. KENNEDY, GEORGE  
FRANK PAPPAS.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, WALLACH, and HUGHES,  
*Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

September 17, 2018

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court