

NOTE: This disposition is nonprecedential.

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

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**FRESENIUS KABI USA, LLC,**  
*Appellant*

v.

**J. KYLE BASS, ERICH SPANGENBERG,**  
*Appellees*

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2017-2402

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2016-  
00254.

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**JUDGMENT**

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JOHN T. BENNETT, Goodwin Procter LLP, Boston, MA,  
argued for appellant. Also represented by SAMUEL  
SHERRY, DARYL L. WIESEN; CYNTHIA LAMBERT HARDMAN,  
New York, NY.

GREGORY J. GONSALVES, The Gonsalves Law Firm,  
Falls Church, VA, argued for appellees.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, WALLACH, and CHEN, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

November 7, 2018  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court