NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1343 (Serial No. 11/249,671)

IN RE RICHARD E. WHITTAKER

<u>Thomas C. Wettach</u>, Cohen & Grigsby, P.C., of Pittsburgh, Pennsylvania, argued for appellant. With him on the brief were <u>Christine W. Trebilcock</u> and <u>Alicia M. Passerin</u>.

<u>Janet A. Gongola</u>, Associate Solicitor, Office of the Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for the Director of the United States Patent and Trademark Office. With her on the brief were <u>Raymond T. Chen</u>, Solicitor, and <u>Kristi L.R. Sawert</u>, Associate Solicitor.

Appealed from: United States Patent and Trademark Office Board of Patent Appeals and Interferences NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1343 (Serial No. 11/249,671)

IN RE RICHARD E.WHITTAKER

Judgment

ON APPEAL from the United States Patent and Trademark Office, Board of Patent

Appeals and Interferences

in CASE NO(S). 11/249,671

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MICHEL, Chief Judge, PLAGER and LINN, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED November 5, 2009 /s/ Jan Horbaly

Jan Horbaly, Clerk