

United States Court of Appeals for the Federal Circuit

March 25, 2013

ERRATA

Appeal No. 2011-1547

**IN RE JEFFREY HUBBELL, JASON SCHENSE,
ANDREAS ZISCH, AND HEIKE HALL**

Decided: March 7, 2013
Precedential Opinion

Please insert the following in the dissenting opinion footnote at page 4, line 18, after “(4th ed. 1979)”:

¹ The panel majority’s footnote 4 criticizes this citation to an earlier version of the MPEP that defined “inventive entity”; however, this has always been the definition of “inventive entity,” extensively embodied in judicial opinions, *e.g.*, *Leviton Mfg. Co., Inc. v. Universal Sec. Instruments, Inc.*, 606 F.3d 1353, 1358 (Fed. Cir. 2010), and as used in the current MPEP §804 (8th ed. 2012). I also remark on the panel majority’s ruling that “inventive entity” in double patenting law depends on the relative contribution of the joint inventors. Maj. Op. at 13. That theory is devoid of foundation.

Please re-number footnote 1 on page 7, line 28, as footnote 2.