

NOTE: This order is nonprecedential.

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

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**LUITPOLD PHARMACEUTICALS, INC.,**  
*Appellant*

v.

**PHARMACOSMOS A/S,**  
*Cross-Appellant*

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2017-1786

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2015-  
01490.

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**O R D E R**

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Before PROST, *Chief Judge*, WALLACH and TARANTO,  
*Circuit Judges.*

PER CURIAM.

Pharmacosmos A/S cross-appeals from the Patent  
Trial and Appeal Board's Final Written Decision deter-  
mining that it did not prove by a preponderance of the  
evidence that claims 17 and 47 of U.S. Patent No.  
7,754,702 are unpatentable. Because Pharmacosmos has  
not established an injury in fact sufficient to confer Arti-

cle III standing, however, this court dismisses the cross-appeal.

IT IS ORDERED THAT:

This case is dismissed.

FOR THE COURT

April 12, 2018  
Date

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