

NOTE: This disposition is nonprecedential.

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

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**CUPP COMPUTING AS,**  
*Appellant*

v.

**KATHERINE K. VIDAL, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE,**  
*Intervenor*

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2023-1129

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Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in No. IPR2021-00813.

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**JUDGMENT**

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PAUL J. ANDRE, Kramer Levin Naftalis & Frankel LLP, Redwood Shores, CA, argued for appellant. Also represented by JAMES R. HANNAH; JEFFREY PRICE, New York, NY.

PETER J. AYERS, Office of the Solicitor, United States Patent and Trademark Office, Alexandria, VA, argued for

intervenor. Also represented by FARHEENA YASMEEN RASHEED, KEVIN RICHARDS.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, HUGHES, and STARK, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

May 10, 2024  
Date



Jarrett B. Perlow  
Clerk of Court