

NOTE: This disposition is nonprecedential.

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

PENTEL CO., LTD. AND PENTEL OF AMERICA, LTD.,
Appellants,

v.

DAVID J. KAPPOS, DIRECTOR,
UNITED STATES PATENT AND TRADEMARK OFFICE,
Appellee,

and

BENJAMIN J. KWITEK,
Appellee.

2012-1002

Appeal from the United States Patent and Trademark
Office, Board of Patent Appeals and Interferences in
Reexamination No. 95/000,399).

JUDGMENT

BRUCE L. ADAMS, Adams & Wilks, of New York, New York, argued appellants.

NATHAN K. KELLEY, Associate Solicitor, Office of the Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for appellee David J. Kappos, Director, United States Patent and Trademark Office. With him on the brief were RAYMOND T. CHEN, Solicitor, and ROBERT J. MCMANUS, Associate Solicitor.

ROBERT R. LYONS, Littman Law Offices, Ltd., Manassas Virginia, for appellee BENJAMIN J. KWITEK.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LINN, PLAGER, and DYK, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

June 13, 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk