

NOTE: This disposition is nonprecedential.

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

**IN RE GERALD M. BENSON AND
KENNETH L. SMITH**

2012-1663

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 09/515,978.

**IN RE GERALD M. BENSON AND
KENNETH L. SMITH**

2012-1664

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 11/061,327.

JUDGMENT

SANDRA K. NOVAK, 3M Innovative Properties Compa-
ny, of St. Paul, Minnesota, argued for appellants.

MARY L. KELLY, Associates Solicitor, Office of the Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for appellee. With her on the brief were RAYMOND T. CHEN, Solicitor, and BRIAN T. RACILLA, Associate Solicitor.

THESE CAUSES having been heard and considered, they are

ORDERED and ADJUDGED:

PER CURIAM (DYK, PROST, and REYNA, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

June 6, 2013
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk