

NOTE: This disposition is nonprecedential.

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

SPECIALTY FERTILIZER PRODUCTS, LLC,
Appellant

v.

SHELL OIL COMPANY,
Appellee

**JOSEPH MATAL, PERFORMING THE FUNCTIONS
AND DUTIES OF THE UNDER SECRETARY OF
COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR, U.S. PATENT AND TRADEMARK
OFFICE,**
Intervenor

2016-2347

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 95/002,388.

JUDGMENT

JOHN M. COLLINS, Hovey Williams LLP, Overland
Park, KS, argued for appellant. Also represented by
SCOTT R. BROWN, MATTHEW B. WALTERS.

HENRY A. PETRI, JR., Polsinelli PC, Washington, DC, argued for appellee. Also represented by JASON W. BRYAN, Houston, TX.

PHILIP J. WARRICK, Office of the Solicitor, United States Patent and Trademark Office, Alexandria, VA, argued for intervenor. Also represented by NATHAN K. KELLEY, FARHEENA YASMEEN RASHEED, SCOTT WEIDENFELLER.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, CHEN, and STOLL, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

November 8, 2017
Date

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