

NOTE: This disposition is nonprecedential.

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

NIPPON SHINYAKU CO., LTD.,
Plaintiff-Appellant

v.

**ANDREI IANCU, UNDER SECRETARY OF
COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE,**
Defendant-Appellee

2019-1824

Appeal from the United States District Court for the District of Columbia in No. 1:10-cv-01142-EGS, United States District Judge Emmet G. Sullivan.

JUDGMENT

ANTHONY F. LO CICERO, Amster Rothstein & Ebenstein LLP, New York, NY, argued for plaintiff-appellant. Also represented by MARION P. METELSKI, HOLLY PEKOWSKY.

BRIAN RACILLA, Office of the Solicitor, United States Patent and Trademark Office, Alexandria, VA, argued for

defendant-appellee. Also represented by KAKOLI
CAPRIHAN, THOMAS W. KRAUSE.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, LINN and
TARANTO, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

March 10, 2020
Date

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