

NOTE: This disposition is nonprecedential.

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

REGENTS OF THE UNIVERSITY OF MINNESOTA,
Plaintiff-Appellant,

v.

**DAVID J. KAPPOS, UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT OFFICE,**
Defendant-Appellee,

and

AGA MEDICAL CORPORATION,
Defendant-Appellee.

2010-1321

Appeal from the United States District Court for the
Eastern District of Virginia in No. 09-CV-0951.

JUDGMENT

KEVIN D. CONNEELY, Leonard, Street & Deinard
Professional Association, of Minneapolis, Minnesota,

argued for plaintiff-appellant. With him on the brief were DAVID D. AXTELL, RUTH RIVARD and ERIK M. DRANGE. Of counsel were ALEXANDER B. ENGLEHART and THOMAS J. FISHER, Oblon, Spivak, McClelland, Maier, of Alexandria, Virginia.

SYDNEY O. JOHNSON, JR., Associate Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for defendant-appellee. With him on the brief were RAYMOND T. CHEN, Solicitor and MARY L. KELLY, Associate Solicitor.

TARA C. NORGARD, Carlson Caspers, Vandenburg & Lindquist, P.A., of Minneapolis, Minnesota, argued for defendant-appellee. With her on the brief was RABEA JAMAL ZAYED.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, MAYER, and GAJARSA, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 11, 2010
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk