

NOTE: This disposition is nonprecedential.

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

**CHEMI S.P.A, LORENZO DE FERRA, AND PIETRO
MASSARDO,**
Appellants,

v.

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

and

FIDIA FARMACEUTICI S.P.A.,
Appellee.

2010-1514

Appeal from the United States Patent and Trademark
Office, Board of Patent Appeals and Interferences in
Reexamination No. 95/000, 138.

JUDGMENT

ROBERT S. SILVER, Caesar, Rivise, Bernstein, Cohen &
Pokotilow, LTD, of Philadelphia, Pennsylvania, for

appellants. With him on the brief was JOSEPH F. MURPHY.

RAYMOND T. CHEN, Solicitor, Office of the Solicitor, United States Patent and Trademark Office, of Arlington, Virginia, for appellee. With him on the brief were ROBERT J. MCMANUS and NATHAN K. KELLY, Associate Solicitors.

EUGENE T. C. PEREZ, Birch, Stewart, Kolasch & Birch, LLP, of Falls Church, Virginia, argued for appellee Fidia Farmaceutici S.P.A. With him on the brief was MARYANNE ARMSTRONG.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

June 8, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk