

NOTE: This disposition is nonprecedential.

# United States Court of Appeals for the Federal Circuit

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IN RE BAYER CROPSCIENCE, LP

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2012-1444

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Appeal from the United States Patent and Trademark Office, Board of Patent Appeals and Interferences No. 90/008,317.

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## JUDGMENT

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HAL K. LITCHFORD, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, of Washington, DC, argued for appellant. With him on the brief were SUSAN E. SHAW MCBEE and CHESTER G. MOORE, III, of Washington, DC.

KRISTI L. R. SAWERT, Associate Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for appellee. With her on the brief were NATHAN K. KELLEY, Deputy Solicitor, and LORE A. UNT, Associate Solicitor.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

May 14, 2013  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk