

NOTE: This disposition is nonprecedential.

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

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**KOMATSU LTD.,**  
*Appellant*

v.

**THE AMERICAN TORCH TIP CO.,**  
*Appellee*

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2017-1696

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. 95/002,300.

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**JUDGMENT**

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DAVID TARNOFF, Global IP Counselors LLP, Washington, DC, argued for appellant. Also represented by MICHAEL THOMAS MURPHY, SUZANNE KONRAD.

MARK FERANDO RUBIO, American Torch Tip, Co., Bradenton, FL, argued for appellee. Also represented by SERGEY VERNYUK, Emerson Thomson Bennett, Akron, OH.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (REYNA, TARANTO, and HUGHES, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

February 8, 2018

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court