

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

**DISPOSITION SHEET**

**MONDAY, NOVEMBER 16, 2009**

**11:00 A.M.**

**PRECEDENTIAL ORDER**

2008-1352 TRIANTAFYLLOS TAFAS, ET AL. v. DAVID J. KAPPOS, Under secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, ET AL.  
Appeal dismissed, November 13, 2009.

**NONPRECEDENTIAL OPINION**

2009-1313 AMERICAN RICE, INC. v. DUNMORE PROPERTIES, S. A.  
USPTO/TTAB Per Curiam Affirmed

**OTHER ACTION**

2009-7133 JOSEPHINE LAZERANO v. ERIC K. SHINSEKI, Secretary of Veterans Affairs  
Mandate recalled and appeal reinstated.

**DISMISSAL**

2009-3303 JULIO C. SANTIAGO v. UNITED STATES POSTAL SERVICE

**PETITION FOR REHEARING AND REHEARING EN BANC**

2008-1549, ORTHO-MCNEIL PHARMACEUTICAL, INC. v. TEVA  
-1550 PHARMACEUTICALS INDUSTRIES, LTD., ET AL.  
Denied.

**TUESDAY, NOVEMBER 17, 2009**

**11:00 A.M.**

**PRECEDENTIAL OPINION**

2009-5021, ALABAMA AIRCRAFT INDUSTRIES, INC. – BIRMINGHAM v. UNITED  
-5022, STATES, ET AL.  
-5023        On appeal from the United States Court of Federal Claims.  
              Judgment reversed.  
              Opinion by Plager, Circuit Judge.

**PETITION FOR REHEARING AND REHEARING EN BANC**

2007-3134 JOSEPH P. CARSON v. MERIT SYSTEMS PROTECTION BOARD,  
              ET AL.  
              Denied.

**WEDNESDAY, NOVEMBER 18, 2009**

**11:00 A.M.**

**NONPRECEDENTIAL OPINION**

2009-1115, GEORGE E. KERSEY v. COMMISSIONER OF PATENTS AND  
-1246 TRADEMARKS  
USDCT/DC Prost, J. Dismissed

**OTHER ACTION**

2009-3301 GARY V. GRECCO v. OFFICE OF PERSONNEL MANAGEMENT  
Mandate recalled and appeal reinstated.

**PETITION FOR REHEARING EN BANC**

2008-1306, FRESENIUS USA, INC., ET AL. v. BAXTER INTERNATIONAL, INC.,  
-1331 ET AL.  
Denied.

**THURSDAY, NOVEMBER 19, 2009**

**11:00 A.M.**

**PRECEDENTIAL OPINION**

2009-1018 IOVATE HEALTH SCIENCES, INC., ET AL. v. BIO-ENGINEERED  
SUPPLEMENTS & NUTRITION, INC. (doing business as BSN, Inc.),  
ET AL.  
On appeal from the United States District for the Eastern District of  
Texas.  
Judgment affirmed.  
Opinion by Lourie, Circuit Judge.  
Separate concurring opinion by Mayer, Circuit Judge.

**NONPRECEDENTIAL OPINIONS**

2009-3167 DOM WADHWA v. DEPARTMENT OF VETERANS AFFAIRS  
MSPB Per Curiam Affirmed

2009-3169 DOM WADHWA v. DEPARTMENT OF VETERANS AFFAIRS  
MSPB Per Curiam Affirmed, Rule 36

**OTHER ACTION**

2009-1066 PAM v. US  
Mandate recalled, November 18, 2009.

**PETITION FOR REHEARING**

2008-5053 SALMAN RANCH LTD, ET AL. v. UNITED STATES  
Denied.

