

NOTE: This disposition is nonprecedential.

# United States Court of Appeals for the Federal Circuit

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**IN RE JAMES W. BIONDI and AARON FAND  
(Real Party in Interest Cardiopulmonary  
Corporation)**

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2012-1300  
(Serial No. 10/984, 186)

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Appeal from the United States Patent and Trademark  
Office, Board of Patent Appeals and Interferences.

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## **JUDGMENT**

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JOHN J. COTTER, K&L Gates LLP, of Boston, Massachusetts, argued for appellants. With him on the brief was THOMAS A. TURANO.

MEREDITH H. SCHOENFELD, Associate Solicitor, Office of the Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for appellee. With her on the brief were RAYMOND T. CHEN, Solicitor, NATHAN K. KELLEY and ROBERT J. MCMANUS, Associate Solicitors.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, PROST, and O'MALLEY, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

December 21, 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk