

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2008-1421  
(Re-examination No. 90/006,696)

IN RE PENG TAN

David Fink, Fink & Johnson, of Houston, Texas, argued for appellant.

William LaMarca, Associate Solicitor, Office of the Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for the Director of the United States Patent and Trademark Office. With him on the brief were Raymond T. Chen, Solicitor, and Nathan K. Kelley, Associate Solicitor.

Appealed from: United States Patent and Trademark Office  
Board of Patent Appeals and Interferences

NOTE: This disposition is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2008-1421  
(Re-examination No. 90/006, 696)

IN RE PENG TAN

### Judgment

ON APPEAL from the UNITED STATES PATENT AND TRADEMARK OFFICE,  
BOARD OF PATENT APPEALS AND INTERFERENCES

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (LOURIE, RADER, and DYK, Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED April 3, 2009

/s/ Jan Horbaly  
Jan Horbaly, Clerk