

NOTE: This disposition is nonprecedential.

# United States Court of Appeals for the Federal Circuit

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IN RE ALLEN BERGER, JR.

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2013-1473

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Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board, in Serial No. 10/822,079.

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## JUDGMENT

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JESUS SANCHELIMA, Sanchelima & Associates, P.A., of Miami, Florida, argued for appellant.

JOSEPH MATAL, Associate Solicitor, United States Patent and Trademark Office, of Alexandria, Virginia, argued for appellee. With him on the brief were NATHAN K. KELLEY, Solicitor, and COKE MORGAN STEWART, Associate Solicitor.

ANDREW BLAIR-STANEK, University of Maryland, Francis King Carey School of Law, of Baltimore, Maryland, amicus curiae.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

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

ENTERED BY ORDER OF THE COURT

March 18, 2014  
Date

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court