

NOTE: This disposition is nonprecedential.

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

---

**IN RE: NICHOLAS WILLIAM FERRI, DAVID J.  
EARLEY,**  
*Appellants*

---

2016-1877

---

Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. 13/160,823.

---

**JUDGMENT**

---

DANIEL P. HOMILLER, Murphy, Bilak & Homiller,  
PLLC, Cary, NC, argued for appellants.

JOSEPH GERARD PICCOLO, Office of the Solicitor, United  
States Patent and Trademark Office, Alexandria, VA,  
argued for appellee Michelle K. Lee. Also represented by  
NATHAN K. KELLEY, THOMAS W. KRAUSE, SARAH E.  
CRAVEN.

---

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, TARANTO, and CHEN, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

February 13, 2017  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court