

NOTE: This disposition is nonprecedential.

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

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**ZOOMESSENCE, INC.,**  
*Appellant*

v.

**JOSEPH MATAL, PERFORMING THE FUNCTIONS  
AND DUTIES OF THE UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR, U.S. PATENT AND TRADEMARK  
OFFICE,**  
*Intervenor*

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2017-1581

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2015-  
01418.

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**JUDGMENT**

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STEVEN JOHN HULTQUIST, Hultquist, PLLC, Chapel  
Hill, NC, argued for appellant. Also represented by MARY  
B. GRANT.

MICHAEL SUMNER FORMAN, Office of the Solicitor,  
United States Patent and Trademark Office, Alexandria,

VA, argued for intervenor. Also represented by NATHAN K. KELLEY, THOMAS W. KRAUSE, ROBERT J. MCMANUS, LORE A. UNT.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, SCHALL and TARANTO, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

January 16, 2018

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court