

NOTE: This order is nonprecedential.

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

LUITPOLD PHARMACEUTICALS, INC.,
Appellant

v.

PHARMACOSMOS A/S,
Cross-Appellant

2017-1786

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. IPR2015-
01490.

O R D E R

Before PROST, *Chief Judge*, WALLACH and TARANTO,
Circuit Judges.

PER CURIAM.

Pharmacosmos A/S cross-appeals from the Patent
Trial and Appeal Board's Final Written Decision deter-
mining that it did not prove by a preponderance of the
evidence that claims 17 and 47 of U.S. Patent No.
7,754,702 are unpatentable. Because Pharmacosmos has
not established an injury in fact sufficient to confer Arti-

cle III standing, however, this court dismisses the cross-appeal.

IT IS ORDERED THAT:

This case is dismissed.

FOR THE COURT

April 12, 2018
Date

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