

NOTE: This disposition is nonprecedential.

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

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**MTD PRODUCTS INC.,**  
*Appellant*

v.

**ANDREI IANCU, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE,**  
*Intervenor*

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2017-2294

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2016-  
00219.

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**JUDGMENT**

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JOHN CIPOLLA, Calfee, Halter & Griswold LLP, Cleve-  
land, OH, argued for appellant. Also represented by  
JOSHUA FRIEDMAN, TRACY SCOTT JOHNSON, MARK  
MCDUGALL.

PHILIP J. WARRICK, Office of the Solicitor, United States  
Patent and Trademark Office, Alexandria, VA, argued for

intervenor. Also represented by THOMAS W. KRAUSE,  
PETER JOHN SAWERT.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (REYNA, TARANTO, and STOLL, *Circuit  
Judges*).

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

ENTERED BY ORDER OF THE COURT

February 12, 2019  
Date

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