

NOTE: This disposition is nonprecedential.

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

SMART MODULAR TECHNOLOGIES, INC.,
Appellant

v.

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

2018-1557

Appeal from the United States Patent and Trademark
Office, Patent Trial and Appeal Board in No. 95/002,399.

JUDGMENT

MICHAEL FRANCIS HEAFEY, Troutman Sanders LLP,
San Francisco, CA, argued for appellant.

MICHAEL S. FORMAN, Office of the Solicitor, United
States Patent and Trademark Office, Alexandria, VA, ar-
gued for intervenor. Also represented by THOMAS W.
KRAUSE, KAKOLI CAPRIHAN.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, LOURIE and
CLEVINGER, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 7, 2019
Date

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