

NOTE: This disposition is nonprecedential.

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

---

**MARK W. KILBOURNE,**  
*Appellant*

v.

**APPLE INC., AUGUST HOME, INC.,**  
*Appellees*

---

2020-1665

---

Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2019-  
00233.

---

**JUDGMENT**

---

ROBERT JAMES MCAUGHAN, JR., McAughan Deaver  
PLLC, Houston, TX, argued for appellant. Also repre-  
sented by ALBERT BERTON DEEVER, JR.

JENNIFER NOCK, Rothwell, Figg, Ernst & Manbeck,  
PC, Washington, DC, argued for appellees. Also repre-  
sented by JOSEPH A. HYNDIS.

---

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (DYK, MAYER, and CHEN, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

February 24, 2021  
Date

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