

NOTE: This order is nonprecedential.

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

VITA-MIX CORPORATION,
Appellant,

v.

**DAVID J. KAPPOS, DIRECTOR,
UNITED STATES PATENT AND TRADEMARK
OFFICE,**
Appellee,

AND

K-TEC, INC.,
Appellee.

2012-1447
(Reexamination Nos. 95/000,228, 90/009,113, and
90/008,814)

Appeal from the United States Patent and Trademark
Office, Board of Patent Appeals and Interferences.

ON MOTION

O R D E R

VITA-MIX CORPORATION V. KAPPOS

2

Upon consideration of Vita-Mix Corporation's unopposed motion to dismiss this appeal,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

OCT 02 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Alan Leonard Briggs, Esq.
Raymond T. Chen, Esq.
L. Grant Foster, Esq

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Issued As A Mandate: OCT 02 2012