

NOTE: This order is nonprecedential.

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

J. CARL COOPER, ECHARGE LICENSING, LLC,
Plaintiffs-Appellants

v.

**MICHELLE K. LEE, Director, U.S. Patent and
Trademark Office, in her capacity as Deputy Direc-
tor of the United States Patent and Trademark
Office,**
Defendant-Appellee

2015-1483, 2016-1071

Appeals from the United States District Court for the
Eastern District of Virginia in No. 1:14-cv-00672-GBL-
JFA, Judge Gerald Bruce Lee.

ON MOTION

Before MOORE, LINN, and WALLACH, *Circuit Judges*.
LINN, *Circuit Judge*.

ORDER

Appellants move for summary affirmance of the dis-
trict court's decision in these appeals. The Director of the

United States Patent and Trademark Office responds in support of summary affirmance.

Appellants and the PTO agree that this court's decision in *MCM Portfolio LLC v. Hewlett-Packard Co.*, No. 2015-1091, ___ F.3d ___ (Fed. Cir. Dec. 2, 2015) rejected the constitutional arguments concerning *inter partes* review proceedings that appellants wished to raise in their appeals.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion for summary affirmance is granted.
- (2) Each party shall bear its own costs.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court