
Federal Circuit Patent Updates - November 2008

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In Re Basell Poliolefine Italia S.P.A. (No. 07-1450) (Newman, Lourie, Linn)

November 13, 2008 3:56 PM

(Lourie) Affirming rejection based on obviousness-type double patenting for claims directed method of polymerization. Newman dissented.

A full version of the decision is available [here](#).

In Re DBC (No. 08-1120) (Linn, Dyk, Stearns)

November 3, 2008 3:41 PM

(Linn) Affirming rejection of claims directed to a "nutraceutical composition" from the fruit of the mangosteen tree as obvious. The applicant waived any objection to the administrative patent judge based on the Appointments Clause. Evidence of commercial success was insufficient to rebut prima facie case of non-obviousness where applicant failed to demonstrate appropriate nexus.

A full version of the decision is available [here](#).