

Per Curiam

DIAMOND, COMMISSIONER OF PATENTS AND
TRADEMARKS v. BRADLEY ET AL.CERTIORARI TO THE UNITED STATES COURT OF CUSTOMS AND
PATENT APPEALS

No. 79-855. Argued October 14, 1980—Decided March 9, 1981

600 F. 2d 807, affirmed by an equally divided Court.

Deputy Solicitor General Wallace argued the cause for petitioner. With him on the briefs were *Solicitor General McCree*, *Assistant Attorney General Litvack*, *Harriet S. Shapiro*, *Robert B. Nicholson*, *Frederic Freilicher*, *Joseph F. Nakamura*, and *Thomas E. Lynch*.

Nicholas Prasinos argued the cause for respondents. With him on the briefs were *Faith F. Driscoll*, *Henry L. Hanson*, and *Ronald T. Reiling*.*

PER CURIAM.

The judgment is affirmed by an equally divided Court.

THE CHIEF JUSTICE took no part in the consideration or decision of this case.

**Edward S. Irons*, *Mary Helen Sears*, and *Robert P. Beshar* filed a brief for National Semiconductor Corp. as *amicus curiae* urging reversal.

Briefs of *amici curiae* urging affirmance were filed by *Donald R. Dunner*, *Kenneth E. Kuffner*, and *Travis Gordon White* for the American Patent Law Association, Inc.; by *Reed C. Lawlor* and *James W. Geriak* for the Los Angeles Patent Association; and by *Morton C. Jacobs* for Applied Data Research, Inc., et al.

William James Beard and *John F. Tregoning* filed a brief for Halliburton Services as *amicus curiae*.