

NOTE: This disposition is nonprecedential.

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

OLE K. NILSSEN,
Plaintiff,

and

GEO FOUNDATION, LTD.,
Plaintiff-Appellant.

v.

WAL-MART STORES, INC.,
Defendant-Appellee,

and

COSTCO WHOLESALE CORP.,
Defendant-Appellee.

and

**MENARD, INC., ACE HARDWARE CORP.,
TRUSERV CORPORATION, AND HOME DEPOT,
INC.,**
Defendants,

and

LOWE'S HOME CENTERS, INC.,
Defendant-Appellee.

and

IKEA ILLINOIS, LLC.,
Defendant-Appellee,

2010-1139

Appeal from the United States District Court for the Northern District of Illinois in No. 04-CV-5363, Judge Robert W. Gettleman.

JUDGMENT

LELAND W. HUTCHINSON, JR., Freeborn & Peters, LLP, of Chicago, Illinois, argued for plaintiff-appellant. With him on the brief was JONATHAN HILL.

ANTHONY J. FITZPATRICK, Duane Morris, LLP, of Boston, Massachusetts, argued for all defendants-appellees. With him on the brief was CHRISTOPHER S. KROON for Costco Wholesale Corporation. Also on the brief were GARY W. SMITH, Posternak Blankstein & Lund, LLP, of Boston, Massachusetts, for Wal-Mart Stores, Inc.; KIMBALL R. ANDERSON, and KATHLEEN B. BARRY, Winston & Strawn, LLP, of Chicago, Illinois, for Lowe's Home Centers, Inc., and BUREDEN J. WARREN, McDermott Will & Emery, LLP, of Washington, DC, for IKEA, Illinois, LLC. Of counsel was MARGARET M. DUNCAN, for IKEA, Illinois, LLC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, LINN, and PROST, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

November 10, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk