

NOTE: This disposition is nonprecedential.

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

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**EMCORE CORPORATION AND JDS UNIPHASE  
CORPORATION,**  
*Plaintiffs-Appellees,*

v.

**OPTIUM CORPORATION,**  
*Defendant-Appellant.*

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2010-1258

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Appeal from the United States District Court for the  
Western District of Pennsylvania in Case No. 07-CV-0326,  
Chief Judge Donetta W. Ambrose.

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**JUDGMENT**

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GREGORY A. CASTANIAS, Jones Day, of Washington,  
DC argued for plaintiffs-appellees. With him on the brief  
were SHERYL H. LOVE, Jones Day, of Cleveland, Ohio; and  
ISRAEL SASHA MAYERGOYZ, of Chicago, Illinois; and  
CECILIA R. DICKSON, of Pittsburgh, Pennsylvania.

DOUGLAS J. KLINE, Goodwin Procter, LLP, of Boston, Massachusetts, argued for defendant-appellant. With him on the brief were DON M. KENNEDY, ROBERT D. CARROLL, and SAFRAZ W. ISHMAEL. Of counsel was KIRSTEN VALERIE K. ROBBINS, Goodwin Procter, LLP, of Washington, DC.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, LOURIE, and MOORE, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

January 26, 2011  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk