

NOTE: This disposition is nonprecedential.

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

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**ASPEX EYEWEAR, INC., AND CONTOUR OPTIK,  
INC.,**  
*Plaintiffs-Appellants,*

v.

**ALTAIR EYEWEAR, INC.,**  
*Defendant-Appellee.*

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2012-1102

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Appeal from the United States District Court for the District of Massachusetts in No. 10-CV-12202, Judge William G. Young.

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**JUDGMENT**

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MICHAEL A. NICODEMA, Greenberg Traurig, LLP, of Florham Park, New Jersey, argued for plaintiffs-appellants. With him on the brief was KIMBERLY A. WARSHAWSKY, of Phoenix, Arizona.

TRACY ZURZOLO QUINN, Reed Smith, LLP, of Chicago, Illinois, argued for defendant-appellee. With her on the brief were CARL H. PIERCE and MATTHEW P. FREDERICK. Of counsel were JAMES C. MARTIN and KEVIN S. KATONA, of Pittsburgh, Pennsylvania.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LINN, REYNA, and WALLACH, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

October 10, 2012  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk