

NOTE: This disposition is nonprecedential.

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

**EOLAS TECHNOLOGIES INCORPORATED AND
THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA,**
Plaintiffs-Appellants,

v.

AMAZON.COM, INC., AND YAHOO! INC.,
Defendants-Appellees,

AND

GOOGLE INC., AND YOUTUBE, LLC,
Defendants-Appellees,

AND

J.C. PENNEY CORPORATION, INC.,
Defendant-Appellee.

2012-1632

Appeal from the United States District Court for the
Eastern District of Texas in No. 09-CV-0446, Chief Judge
Leonard Davis.

JUDGMENT

MIKE MCKOOL JR., McKool Smith, P.C., of Dallas, Texas, argued for plaintiffs-appellants. With him on the brief were DOUGLAS A. CAWLEY, of Dallas, Texas, and KEVIN L. BURGESS, JOHN B. CAMPBELL and JOEL L. THOLLANDER, of Austin, Texas.

DARYL L. JOSEFFER, King & Spalding LLP, of Washington, DC, argued for defendants-appellees. With him on the brief was ADAM CONRAD, for all defendants-appellees. Of counsel on the brief were DOUGLAS E. LUMISH, Kasowitz, Benson, Torres & Friedman, LLP, of Redwood Shores, California, for defendants-appellees, Google Inc., et al.; DIANE K. LETTELLEIR, J.C. Penney Corporation, Inc., Plano, Texas, for defendant-appellee for J.C. Penney Corporation, Inc.; EDWARD R. REINES, Weil, Gotshal & Manges, LLP, of Redwood Shores, California, and JENNIFER H. DOAN, Haltom & Doan, of Texarkana, Texas, for defendants-appellees Amazon.com, Inc., et al.; KEVIN T. KRAMER, Yahoo! Inc., of Sunnyvale, California, for defendant-appellee, Yahoo! Inc.; and JEFFREY H. DEAN, Amazon.com, Inc., of Seattle, Washington, for defendant-appellee, Amazon.com, Inc.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, BRYSON, and PROST, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

July 22, 2013
Date

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk