

NOTE: This disposition is nonprecedential.

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

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**GENERAC POWER SYSTEMS, INC.,**  
*Plaintiff-Appellant,*

v.

**KOHLER COMPANY,**  
*Defendant-Appellee,*

AND

**TOTAL ENERGY SYSTEMS, LLC,**  
*Defendant-Appellee.*

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2013-1311

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Appeal from the United States District Court for the Eastern District of Wisconsin in No. 11-CV-1120, Judge J. P. Stadtmueller.

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**JUDGMENT**

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H. MICHAEL HARTMANN, Leydig, Voit & Mayer, Ltd., of Chicago, Illinois, argued for plaintiff-appellant. With him on the brief were ELEY O. THOMPSON, JOHN K. WINN, and MICHAEL J. BRANDT.

JONATHAN H. MARGOLIES, Michael Best & Friedrich LLP, of Milwaukee, Wisconsin, argued for defendant-appellee Kohler Company. With him on the brief were KATHERINE W. SCHILL, RICHARD H. MARSCHALL and MELANIE J. REICHENBERGER.

AARON T. OLEJNICZAK, Andrus, Scales, Starke & Sawall LLP, of Milwaukee, Wisconsin, for defendant-appellee Total Energy Systems, LLC. With him on the brief was GEORGE H. SOLVESON.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, MAYER, and HUGHES, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

May 13, 2014

Date

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court