

NOTE: This disposition is nonprecedential.

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

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**SHELLY CONTE AND CINDY REICHMAN,**  
*Plaintiffs-Appellants,*

v.

**JAKKS PACIFIC, INC.,**  
*Defendant-Appellee.*

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2014-1153

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Appeal from the United States District Court for the Eastern District of California in No. 1:12-cv-00006-LJO-GSA, Judge Lawrence J. O'Neill.

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Decided: June 11, 2014

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LENDEN F. WEBB, Webb & Bordson, APC, of Fresno, California, argued for plaintiffs-appellants.

JONATHAN HONIG, Feder Kaszovitz LLP, of New York, New York, argued for defendant-appellee. Of counsel on the brief was WILLIAM THOMAS MCLAUGHLIN, II, Lang, Richert & Patch, of Fresno, California.

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Before DYK, WALLACH, and CHEN, *Circuit Judges.*

PER CURIAM.

The judgment is affirmed on the grounds that (1) the asserted claim 9 of United States Patent No. 6,494,457 (the '457 patent) would have been obvious and (2) the district court did not abuse its discretion in refusing to permit plaintiffs to amend the complaint to include claim 1 of the '457 patent.

**AFFIRMED**