

NOTE: This disposition is nonprecedential.

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

HYPOXICO INC.,
Plaintiff-Appellant

v.

COLORADO ALTITUDE TRAINING LLC,
Defendant-Appellee

2014-1544

Appeal from the United States District Court for the Southern District of New York in No. 1:02-cv-06191-TPG, Senior Judge Thomas P. Griesa.

JUDGMENT

ROGER THOMPSON, The Law Offices of Roger S. Thompson, New York, NY, argued for plaintiff-appellant.

CHARLES DAVISON HOFFMANN, Hoffmann Marshall Strong LLP, New York, NY, argued for defendant-appellee. Also represented by CHRISTOPHER MATTHEW STRONG.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, REYNA and CHEN,
Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

June 18, 2015
Date

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