

NOTE: This disposition is nonprecedential.

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

JACK BARRON,
Plaintiff-Appellant

v.

SCVNGR, INC., d/b/a LevelUp,
Defendant-Appellee

2014-1708

Appeal from the United States District Court for the District of Massachusetts in No. 4:13-cv-40084-TSH, Judge Timothy S. Hillman.

JUDGMENT

DAVID L. FINE, Mirick O'Connell DeMallie & Lougee, LLP, Worcester, MA, argued for plaintiff-appellant. Also represented by JOHN O. MIRICK.

BRIAN CARL CARROLL, SCVNGR, Inc., d/b/a LevelUp, Boston, MA, argued for defendant-appellee. Also represented by PHILIP C. SWAIN, Foley Hoag LLP, Boston, MA.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (DYK, SCHALL, and CHEN, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

March 6, 2015
Date

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