

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-1495

OLE K. NILSSEN and GEO FOUNDATION, LTD.,

Plaintiffs-Appellants,

v.

WAL-MART STORES, INC.,

Defendant-Appellee,

and

COSTCO WHOLESALE CORP.,

Defendant-Appellee,

and

HOME DEPOT, INC.,

Defendant,

and

MENARD, INC., ACE HARDWARE CORP., and TRUSERV CORPORATION,

Defendants,

and

LOWE'S HOME CENTERS, INC.,

Defendant-Appellee,

and

IKEA ILLINOIS, LLC,

Defendant-Appellee.

Leland W. Hutchinson, Jr., Freeborn & Peters LLP, of Chicago, Illinois, argued for plaintiff-appellants. With him on the brief was Jonathan Hill.

Kimball R. Anderson, Winston & Strawn LLP, of Chicago, Illinois, argued for all defendants-appellees. With him on the brief for Lowe's Home Centers, Inc. was Kathleen B. Barry. On the brief for defendant-appellee Wal-Mart Stores, Inc. was Gary W. Smith, Posternak Blankstein & Lund LLP, of Boston, Massachusetts. On the brief for defendant-appellee Costco Wholesale Corp. was Anthony J. Fitzpatrick, Duane Morris LLP, of Boston, Massachusetts. Of counsel was Christopher S. Kroon. On the brief for defendant-appellee Ikea Illinois, LLC was Margaret M. Duncan, McDermott Will & Emery LLP, of Chicago, Illinois. With her on the brief were Natalia V. Blinkova and Bureden J. Warren, of Washington, DC.

Appealed from: United States District Court for the Northern District of Illinois

Judge Robert W. Gettleman

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Defendant-Appellee.

Judgment

ON APPEAL from the United States District Court for the
Northern District of Illinois

in CASE NO(S). 04-CV-5363

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curiam (MAYER, LOURIE, and LINN, Circuit Judges)

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED May 6, 2010

/s/ Jan Horbaly
Jan Horbaly, Clerk