

NOTE: This disposition is nonprecedential.

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

**PRICEPLAY, INC. (FORMERLY PERFORMANCE
PRICING, INC.),**
Plaintiff-Appellant,

v.

GOOGLE, INC.,
Defendant-Appellee,

and

AOL, LLC,
Defendant-Appellee.

2010-1306

Appeal from the United States District Court for the Eastern District of Texas in No. 07-CV-0432, Chief Judge Randall R. Rader, sitting by designation.

JUDGMENT

RICHARD E. LYON, III, Dovel & Luner, LLP, of Santa Monica, California, argued for plaintiff-appellant. With him on the brief was GREGORY S. DOVEL.

DAVID A. PERLSON, Quinn Emanuel Urquhart & Sullivan, LLP, of San Francisco, California, argued for defendant-appellee Google, Inc. With him on the brief were CHARLES K. VERHOEVEN, EMILY C. O'BRIEN and ANTONIO R. SISTOS.

ROBERT L. BURNS, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, of Washington, DC, for defendant-appellee AOL, LLC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (BRYSON, CLEVINGER, and LINN, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 11, 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk