

NOTE: This disposition is nonprecedential.

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

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**W.Y. INDUSTRIES, INC.,**  
*Plaintiff-Appellee,*

v.

**KARI-OUT CLUB, LLC, formerly known as KARI-  
OUT KLUB, LLC, doing business as KARI-OUT  
COMPANY, AND PERK-UP, INC., also known as  
KARI-OUT, INC., AND TRIPAK INDUSTRIAL USA,  
LLC,**  
*Defendants-Appellants,*

AND

**JOHN DOES NUMBER 1-10, AND ABC COMPANIES  
NUMBER 1-10,**  
*Defendants.*

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2013-1189

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Appeal from the United States District Court for the  
District of New Jersey in No. 08-CV-5349, Judge Susan D.  
Wigenton.

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**JUDGMENT**

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DENNIS F. GLEASON, Jardim, Meisner & Susser, P.C., of Florham Park, New Jersey, argued for the plaintiff-appellee.

ARTHUR M. PESLAK, Gertner Mandel & Peslak, LLC, of Lakewood, New Jersey, argued for the defendants-appellants.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, SCHALL, and PROST, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

November 12, 2013  
Date

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