

NOTE: This disposition is nonprecedential.

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

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**FINISAR CORPORATION,**  
*Plaintiff-Appellant*

v.

**NISTICA, INC.,**  
*Defendant-Appellee*

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2017-1649

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Appeal from the United States District Court for the Northern District of California in No. 5:13-cv-03345-BLF, Judge Beth Labson Freeman.

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**JUDGMENT**

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DAVID C. RADULESCU, Radulescu LLP, New York, NY, argued for plaintiff-appellant. Also represented by ROBIN M. DAVIS, DANIEL KESACK, ETAI LAHAV, TIGRAN VARDANIAN.

ROBERT KRAMER, Dentons US LLP, Palo Alto, CA, argued for defendant-appellee. Also represented by JENNIFER D. BENNETT, RUSSELL TONKOVICH, San Francisco, CA; LORA A. BRZEZYNSKI, Washington, DC; RICHARD SALGADO, Dallas, TX.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

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

ENTERED BY ORDER OF THE COURT

April 5, 2018  
Date

/s/ Peter R. Marksteiner  
Peter R. Marksteiner  
Clerk of Court