

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

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Case No. 08-5453

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

**PARKHAM INDUSTRIAL)
DISTRIBUTORS, INC., DBA ONSITE)
WASTE MANAGEMENT CORP.,)
IMMEDIATE RESPONSE SPILL)
TECHNOLOGIES, LLC,)**

Plaintiffs-Appellants,)

v.)

THE CINCINNATI INSURANCE CO., INC.,)

Defendant-Appellee.

**ON APPEAL FROM THE
UNITED STATES DISTRICT
COURT FOR THE WESTERN
DISTRICT OF KENTUCKY**

BEFORE: KENNEDY, BATCHELDER, and DAUGHTREY, Circuit Judges.

ALICE M. BATCHELDER, Circuit Judge. Parkham Industrial Distributors, Inc. appeals the district court’s grant of summary judgment to The Cincinnati Insurance Co., Inc. (“CIC”) on Parkham’s claims that CIC breached the terms of its insurance contract and showed bad faith in refusing to defend and indemnify Parkham against a lawsuit brought by Solidification Products International, Inc. (“SPI”). The district court held that the fraudulent and negligent misrepresentation claims in SPI’s First Amended Complaint did not allege an “advertising injury” covered by Parkham’s policy with CIC, and that, even if they did, those claims arose out of a patent infringement claim and were excluded from coverage. Having granted summary judgment to CIC on the breach-of-contract claim, the district court subsequently dismissed with prejudice Parkham’s

claims of bad faith.

After carefully reviewing the record, the applicable law, the parties' briefs and counsels' arguments, we conclude that the district court did not err in granting summary judgment to CIC. As the district court's opinion carefully and correctly sets out the law governing the issues raised, and clearly articulates the reasons underlying its decision, issuance of a full written opinion by this court would serve no useful purpose. Accordingly, for the reasons stated in the district court's opinion, we **AFFIRM** the district court's orders granting summary judgment to CIC and dismissing Parkham's Complaint.