

NOTE: This disposition is nonprecedential.

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

**CROWN PACKAGING TECHNOLOGY, INC. AND
CROWN CORK & SEAL USA, INC.,**
Plaintiffs-Appellants,

v.

**BALL METAL BEVERAGE CONTAINER
CORPORATION,**
Defendant-Appellee.

2012-1258

Appeal from the United States District Court for the Southern District of Ohio in case no. 05-CV-0281, Judge Walter H. Rice.

JUDGMENT

DALE M. HEIST, Woodcock Washburn LLP, of Philadelphia, Pennsylvania, argued for plaintiffs-appellants. With him on the brief were ALBERT J. MARVELLINO and AARON B. RABINOWITZ.

JOHN D. LUKEN, Dinsmore & Shohl, LLP, of Cincinnati, Ohio, argued for defendant-appellee. With him on the brief was JOSHUA A. LORENTZ.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (DYK, MOORE, and REYNA, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

December 5, 2012
Date

/s/ Jan Horbay
Jan Horbaly
Clerk