

NOTE: This disposition is nonprecedential.

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

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**SMARTMETRIC INC., a Nevada Corporation,**  
*Plaintiff-Appellant,*

v.

**MASTERCARD INTERNATIONAL  
INCORPORATED, a Delaware Corporation,**  
*Defendant-Appellee,*

AND

**VISA INC., a Delaware Corporation,**  
*Defendant-Appellee.*

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2014-1037

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Appeal from the United States District Court for the  
Central District of California in No. 2:11-cv-07126, Judge  
Michael W. Fitzgerald.

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**JUDGMENT**

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PATRICK F. BRIGHT, Wagner, Anderson & Bright, P.C.,  
of Glendale, California, argued for plaintiff-appellant.

JOSEPH MELNIK, Jones Day, of Palo Alto, California, argued for appellees. With him on the brief for Visa Inc. were AN P. DOAN; and MATTHEW J. SILVEIRA, of San Francisco, California. On the brief for MasterCard International Incorporated were GARY A. CLARK, DARREN M. FRANKLIN, and ANDREW KIM, Sheppard, Mullin, Richter & Hampton LLP, of Los Angeles, California. Of counsel was DENNIS J. SMITH.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, NEWMAN and HUGHES, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

August 13, 2014  
Date

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