

NOTE: This disposition is nonprecedential.

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

**AVIVA SPORTS, INC., A MINNESOTA
CORPORATION,**
Plaintiff-Appellee

v.

**FINGERHUT DIRECT MARKETING, INC., A
DELAWARE CORPORATION, MENARD, INC., A
WISCONSIN CORPORATION, KMART
CORPORATION, A MICHIGAN CORPORATION,**
Defendants-Appellants

**MANLEY TOYS, LTD., DBA MANLEY TOYS, DBA
TOYQUEST, A HONG KONG, CHINA
CORPORATION,**
Defendant

2014-1394

Appeal from the United States District Court for the
District of Minnesota in No. 0:09-cv-01091-JNE-JSM,
Judge Joan N. Ericksen.

JUDGMENT

JOHN THOMAS VITT, Dorsey & Whitney LLP, Minneapolis, MN, argued for plaintiff-appellee. Also represented by DAVID YOUNGERT TREVOR, MICHAEL WEINBECK.

THOMAS SCHMIDT, Hogan Lovells US LLP, New York, NY, argued for defendants-appellants. Also represented by NEAL KUMAR KATYAL, Washington, DC.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 10, 2016
Date

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