

NOTE: This disposition is nonprecedential.

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

ERGOWERX INTERNATIONAL LLC,
Plaintiff-Appellant

v.

MAXELL CORPORATION OF AMERICA,
Defendant-Appellee

2014-1641

Appeal from the United States District Court for the Southern District of New York in No. 1:13-cv-05633-PAE, Judge Paul A. Engelmayer.

JUDGMENT

JAY P. NELKIN, Nelkin & Nelkin, P.C., Houston, TX, argued for plaintiff-appellant.

HILARY L. PRESTON, Vinson & Elkins LLP, New York, NY, argued for defendant-appellee. Also represented by AJEET P. PAI, Austin, TX; NICKOU OSKOUI, Dallas, TX.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (DYK, TARANTO, and HUGHES, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

September 11, 2015
Date

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