

NOTE: This disposition is nonprecedential.

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

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**POLY-AMERICA, L.P.,**  
*Plaintiff-Appellant*

v.

**API INDUSTRIES, INC.,**  
*Defendant-Appellee*

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2015-1248

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Appeal from the United States District Court for the District of Delaware in No. 1:13-cv-00693-SLR, Judge Sue L. Robinson.

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**JUDGMENT**

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ERICA WORTH HARRIS, Susman Godfrey L.L.P., Houston, TX, argued for plaintiff-appellant. Also represented by LEELE B. KROMPASS, New York, NY.

JACK B. BLUMENFELD, Morris, Nichols, Arsht & Tunnell LLP, Wilmington, DE, argued for defendant-appellee. Also represented by MICHAEL J. FLYNN, MARYELLEN NOREIKA; MARK I. KOFFSKY, EFREM SCHWALB, Koffsky Schwalb LLC, New York, NY.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, CHEN, and HUGHES, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

September 21, 2015  
Date

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