

NOTE: This disposition is nonprecedential.

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

JACK BARRON,
Plaintiff-Appellee

v.

SCVNGR, INC., DBA LEVELUP,
Defendant-Appellant

2015-1596

Appeal from the United States District Court for the District of Massachusetts in No. 4:13-cv-40084-TSH, Judge Timothy S. Hillman.

JUDGMENT

JOHN O. MIRICK, Mirick O'Connell DeMallie & Lougee, LLP, Worcester, MA, argued for plaintiff-appellee. Also represented by DAVID L. FINE.

BRIAN CARL CARROLL, SCVNGR, Inc. d/b/a LevelUp, Boston, MA, argued for defendant-appellant. Also represented by PHILIP C. SWAIN, Foley Hoag LLP, Boston, MA.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 5, 2016
Date

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