

NOTE: This disposition is nonprecedential.

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

NEXUSCARD, INC.,
Plaintiff-Appellant

v.

KROGER CO.,
Defendant-Appellee

2016-2074, 2016-2077

Appeals from the United States District Court for the Eastern District of Texas in Nos. 2:15-cv-00961-JRG, 2:15-cv-00968-JRG, Judge J. Rodney Gilstrap.

JUDGMENT

ADAM BAUMLI, Baumli Law Firm PLLC, Dallas, TX, for plaintiff-appellant.

WILLIAM P. ATKINS, Pillsbury Winthrop Shaw Pittman LLP, McLean, VA, for defendant-appellee. Also represented by BRIAN CHRISTOPHER NASH, Austin, TX.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, REYNA and
TARANTO, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

May 9, 2017
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court