

NOTE: This disposition is nonprecedential.

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

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**DATA NETWORK STORAGE CORPORATION,**  
*Plaintiff-Appellant,*

v.

**DELL INC.,**  
*Defendant,*

and

**NETWORK APPLIANCE, INC.,**  
*Defendant-Appellee.*

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2011-1141

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Appeal from the United States District Court for the Northern District of Texas in No. 08-CV-0294, Judge David C. Godbey.

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**JUDGMENT**

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ROBIN L. PHILLIPS, Procopio, Cory, Hargreaves & Savitch LLP, of San Diego, California, argued for plaintiff-appellant. With him on the brief were ANTHONY J. DAIN and VICTOR M. FELIX.

EDWARD R. REINES, Weil, Gotshal & Manges LLP, of Redwood Shores, California, argued for defendant-appellee.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, O'MALLEY, and REYNA, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

January 12, 2012  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk