

NOTE: This disposition is nonprecedential.

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

CARY A. JARDIN,
Plaintiff-Appellant,

v.

DATALLEGRO, INC.,
Defendant-Appellee,

and

STUART O. FROST,
Defendant-Appellee.

2011-1474

Appeal from the United States District Court for the Southern District of California in No. 08-CV-1462, Chief Judge Irma E. Gonzalez.

JUDGMENT

JOHN C. HERMAN, Robbins Geller Rudman & Dowd LLP, of Atlanta, Georgia, argued for plaintiff-appellant,

CARY A. JARDIN. With him on the brief were ERIC ALAN ISAACSON, CODY R. LEJEUNE, and REGIS C. WORLEY, of San Diego, California.

JUANITA R. BROOKS, Fish & Richardson, P.C., of San Diego, California, argued for all defendants-appellees. With her on the brief for defendant-appellee Datallegro, Inc. was JASON W. WOLFF. Of counsel were JOHN A. DRAGSETH, Fish & Richardson, of Minneapolis, Minnesota, and ENRIQUE D. DUARTE, of Redwood City, California; and STACY QUAN, Microsoft Corporation, of Redmond, Washington. Also on the brief for defendant-appellee Stuart O. Frost was GEORGE L. HAMPTON IV, HamptonHolley LLP, of Corona del mar, California. With him on the brief was COLIN C. HOLLEY.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, DYK, and MOORE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

April 9, 2012
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk