

NOTE: This disposition is nonprecedential.

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

ALEXSAM, INC.,
Plaintiff-Appellant,

v.

PIER 1 IMPORTS, INC.,
Defendant-Cross-Appellant

AND

METROMEDIA STEAKHOUSES COMPANY, LP,
Defendant-Appellee.

2013-1003, -1026

Appeals from the United States District Court for the Eastern District of Texas in No. 08-CV-0015, Judge Michael H. Schneider.

JUDGMENT

TIMOTHY P. MALONEY, Fitch Even Tabin & Flannery, LLP, of Chicago, Illinois, argued for plaintiff-appellant. With him on the brief were ALISON AUBRY RICHARDS and NICOLE L. LITTLE. Of counsel on the brief was STEVEN C. SCHROER, of Boulder, Colorado.

ALAN M. FISCH, Fisch Hoffman Sigler, LLP, of Washington, DC, argued for defendant-cross appellant. With him on the brief were JASON F. HOFFMAN, R. WILLIAM SIGLER and THOMAS C. CHEN. Of counsel was BRUCE SOSTEK, Thompson & Knight, of Dallas, Texas.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (MOORE, CLEVINGER, and REYNA, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

November 7, 2013
Date

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