

NOTE: This disposition is nonprecedential.

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

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**AIA AMERICA, INC., FKA ALZHEIMER'S  
INSTITUTE OF AMERICA, INC.,**  
*Plaintiff-Appellant*

**MICHAEL J. MULLAN, RONALD E. SEXTON,**  
*Counterclaim Defendants*

v.

**ELI LILLY & COMPANY, ELAN  
PHARMACEUTICALS, INC.,**  
*Defendants-Appellees*

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2016-2094

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Appeal from the United States District Court for the  
Northern District of California in No. 3:10-cv-00482-EDL,  
Magistrate Judge Elizabeth D. Laporte.

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**JUDGMENT**

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PETER BUCKLEY, Fox Rothschild, LLP, Philadelphia,  
PA, argued for plaintiff-appellant.

DEBORAH E. FISHMAN, Arnold & Porter Kaye Scholer  
LLP, Palo Alto, CA, argued for all defendants-appellees.

Defendant-appellee Elan Pharmaceuticals, Inc. also represented by KATIE JEANNINE LEWIS SCOTT.

LAWRENCE SCOTT BURWELL, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Reston, VA, for defendant-appellee Eli Lilly & Company. Also represented by CHARLES E. LIPSEY; LAURA POLLARD MASUROVSKY, Washington, DC; MANISHA A. DESAI, Eli Lilly and Company, Indianapolis, IN.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, LOURIE, and HUGHES, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

August 10, 2017

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court