

NOTE: This disposition is nonprecedential.

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

MAX RACK, INC.,
Plaintiff-Appellant,

v.

HOIST FITNESS SYSTEMS, INC.,
Defendant-Appellee.

2010-1417

Appeal from the United States District Court for the Southern District of Ohio in No. 05-CV-0784, Judge Michael H. Watson.

JUDGMENT

JEFFREY S. STANDLEY, Standley Law Group, LLP, of Dublin, Ohio, argued for plaintiff-appellant. With him on the brief were JAMES L. KWAK, F. MICHAEL SPEED, JR. and MICHAEL R. STONEBROOK.

SUSAN B. MEYER, Gordon & Rees, LLP, of San Diego, California, argued for defendant-appellee. With him on the brief was JOHN L. HALLER.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, NEWMAN and DYK,
Circuit Judges).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 10, 2011
Date

/s/ Jan Horbaly
Jan Horbaly
Clerk