

NOTE: This disposition is nonprecedential.

# United States Court of Appeals for the Federal Circuit

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**OCEAN DUKE CORPORATION,**  
*Plaintiff-Appellant,*

v.

**UNITED STATES,**  
*Defendant-Appellee.*

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2011-1597

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Appeal from the United States Court of International Trade in case no. 11-CV-0140, Senior Judge Judith M. Barzilay.

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## JUDGMENT

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NED H. MARSHAK, Grunfeld, Desiderio, Lebowitz, Silverman & Klestadt, LLP, of New York, New York, argued for plaintiff-appellant. With him on the brief were ROBERT B. SILVERMAN, JOSEPH M. SPRARAGEN and FRANCES P. HADFIELD.

STEPHEN C. TOSINI, Senior Trial Counsel, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for defendant-appellee. With him on the brief were TONY WEST, Assistant Attorney General, JEANNE E. DAVIDSON, Director, and PATRICIA M. MCCARTHY, Assistant Director.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

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

ENTERED BY ORDER OF THE COURT

May 10, 2012  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk