

NOTE: This disposition is nonprecedential.

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

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**MIDDLETON, INC.,**  
*Plaintiff-Appellant,*

v.

**MINNESOTA MINING AND MANUFACTURING  
COMPANY,**  
**(also known as 3M Company)**  
*Defendant-Appellee.*

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2012-1283

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Appeal from the United States District Court for the Southern District of Iowa in No. 03-CV-40493, Judge Mark W. Bennett.

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**JUDGMENT**

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GEORGE C. SUMMERFIELD, JR., Stadheim & Gear Ltd., of Chicago, Illinois, argued for the plaintiff-appellant. With him on the brief were JOSEPH A. GREAR and KEITH A. VOGT.

DAVID J.F. GROSS, of Faegre Baker Daniels LLP, of Minneapolis, Minnesota, argued for defendant-appellee. With him on the brief were JAMES W. PORADEK, TIMOTHY E. GRIMSRUD, CHRISTOPHER J. BURRELL and KATHERINE S. RAZAVI.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (RADER, *Chief Judge*, LOURIE and MOORE, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

February 21, 2013  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk