

NOTE: This disposition is nonprecedential.

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

DIEM LLC,
Plaintiff-Appellee

v.

BIGCOMMERCE, INC.,
Defendant-Appellant

2019-1745

Appeal from the United States District Court for the Northern District of California in No. 3:18-cv-05978-SI, Senior Judge Susan Y. Illston.

JUDGMENT

BRETT RISMILLER, Husky Finch, St. Louis, MO, argued for plaintiff-appellee.

AMIT AGARWAL, Tampa, FL, argued for defendant-appellant. Also represented by WILLIAM ROBERT LAMB, Gillam & Smith, LLP, Marshall, TX.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (PROST, *Chief Judge*, SCHALL and WALLACH, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 6, 2020
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court