

NOTE: This disposition is nonprecedential.

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

---

**CUSTOMPLAY, LLC,**  
*Appellant*

v.

**AMAZON.COM, INC.,**  
*Appellee*

**ANDREW HIRSHFELD, PERFORMING THE  
FUNCTIONS AND DUTIES OF THE UNDER  
SECRETARY OF COMMERCE FOR  
INTELLECTUAL PROPERTY AND DIRECTOR OF  
THE UNITED STATES PATENT AND TRADEMARK  
OFFICE,**  
*Intervenor*

---

2020-2209

---

Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2018-  
01498.

---

**JUDGMENT**

---

JOHN C. CAREY, Carey Rodriguez Milian Gonya, LLP,  
Miami, FL, argued for appellant. Also represented by

NICHOLAS J. DOYLE.

COLIN B. HEIDEMAN, Knobbe, Martens, Olson & Bear, LLP, Seattle, WA, argued for appellee. Also represented by CHRISTIE R.W. MATTHAEI; JOSEPH R. RE, Irvine, CA.

MCKAYE LEA NEUMEISTER, Appellate Staff, Civil Division, United States Department of Justice, Washington, DC, argued for intervenor. Also represented by BRIAN M. BOYNTON, DANIEL TENNY; KAKOLI CAPRIHAN, MAI-TRANG DUC DANG, MICHAEL S. FORMAN, THOMAS W. KRAUSE, ROBERT J. MCMANUS, FARHEENA YASMEEN RASHEED, Office of the Solicitor, United States Patent and Trademark Office, Alexandria, VA.

---

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, DYK, and REYNA, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

February 15, 2022

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court