

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

2007-1578

SUMITOMO MITSUBISHI SILICON CORPORATION (also known as Sumco),
and SUMCO USA CORPORATION (also known as Sumco USA),

Plaintiffs-Appellants,

v.

MEMC ELECTRONIC MATERIALS, INC.,

Defendant-Appellee.

R. Terrance Rader, Rader, Fishman & Grauer PLLC, of Bloomfield Hills, Michigan, argued for plaintiffs-appellants. With him on the brief were Linda Dupont Mettes and Leigh C. Taggart.

Robert M. Evans, Jr., Senniger Powers LLP, of St. Louis, Missouri, argued for defendant-appellee. With him on the brief were David W. Harlan and Marc W. Vander Tuig.

Appealed from: United States District Court for the Northern District of California

Judge Sandra Brown Armstrong

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and SUMCO USA CORPORATION (also known as Sumco USA),

Plaintiffs-Appellants,

v.

MEMC ELECTRONIC MATERIALS, INC.,

Defendant-Appellee.

Appeal from United States District Court for the Northern District of California in Case No. 05-CV-2133, Judge Sandra Brown Armstrong.

DECIDED: December 5, 2008

Before NEWMAN, PLAGER, and SCHALL, Circuit Judges.

PER CURIAM.

The court concludes that jurisdiction of this appeal is properly with the Federal Circuit, for the right to relief depends on resolution of a substantial question of patent law.

On the merits, in accordance with Federal Circuit Rule 36 we summarily affirm the district court's judgment.