[redacted]

**JUDGMENT**

PER CURIAM.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

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

[redacted]

**James ALSTON, Petitioner,**

**v.**

**SOCIAL SECURITY ADMINISTRATION, Respondent.**

**No. 2010–3007.**

United States Court of Appeals, Federal Circuit.

July 21, 2010.

[redacted]

James W. Richard, II, Age, Local 1923, of Baltimore, MD, argued for petitioner.

Scott D. Austin, Senior Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent. With him on the brief were Tony West, Assistant Attorney General, Jeanne E. Davidson, Director, and Brian M. Simkin, Assistant Director. Of counsel on the brief was Aparna V. Srinivasan, Attorney, Office of the General Counsel, Social Security Administration, of Baltimore, MD.

NEWMAN, MAYER, and PROST, Circuit Judges.

**JUDGMENT**

PER CURIAM.

THIS CAUSE having been heard and considered, it is

ORDERED AND ADJUDGED:

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

[redacted]

**REVOLUTION EYEWEAR, INC., Plaintiff/Counterclaim Defendant–Appellee,**

**and**

**Gary Martin Zelman, Counterclaim Defendant–Appellee,**

**v.**

**ASPEX EYEWEAR, INC. and Nonu Ifergan, Defendants/Counterclaimants–Appellants.**

**No. 2010–1029.**

United States Court of Appeals, Federal Circuit.

July 21, 2010.

[redacted]

R. Joseph Trojan, Trojan Law Offices, of Beverly Hills, CA, argued for plaintiff/counterclaim defendant-appellee and counterclaim defendant-appellee.

Michael A. Nicodema, Greenberg Traurig, LLP, of New York, NY, argued for defendants/counterclaimants-appellants.