UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 22nd day of December, two thousand sixteen.

PRESENT: JON O. NEWMAN,
GERARD E. LYNCH,
CHRISTOPHER F. DRONEY,
Circuit Judges.

VICTOR M. SERBY,

Plaintiff-Counter-Defendant-Appellant,

v. No. 15-3787-cv

FIRST ALERT, INC., BRK BRANDS, INC.,

Defendants-Counter-Claimants-Appellees.

IT IS HEREBY ORDERED that the summary order issued on November 22, 2016 is amended as follows:

On page three, at the second sentence of the third full paragraph ("At trial, . . ."), replace "Serby demonstrated that he could open" with "Serby testified that he had opened."

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court