

No. 16-202

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**In the Supreme Court of the United States**

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ROMAG FASTENERS, INC.,

*Petitioner,*

v.

FOSSIL, INC., ET AL.,

*Respondents.*

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**On Petition for a Writ of Certiorari to  
the United States Court of Appeals  
for the Federal Circuit**

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**SUPPLEMENTAL BRIEF FOR RESPONDENTS**

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Respondents respectfully submit this supplemental brief in response to the supplemental brief filed by petitioner.

Petitioner's suggestion that the Court grant the first question presented in the petition completely ignores the detailed explanation in the Brief in Opposition of the reasons why the Court's review is not warranted: there is no meaningful conflict among the lower courts necessitating this Court's intervention; and, in addition, the case is a poor vehicle for resolution of the issue, because – based on the unchallenged factual findings below – the outcome would not have changed even if petitioner's preferred legal rule were applied. See Br. in Opp. 18-29.

Petitioner is therefore wrong in asserting (Supp. Br. 3) that a decision by the Court to remand for reconsideration in light of the Court's March 21, 2017 decision in *SCA Hygiene Products Aktiebolag v. First Quality Baby Products, LLC*, No. 15-927, would result in a subsequent petition raising a certworthy issue. If petitioner did seek review of the first question again, that renewed petition would not warrant review for the reasons set forth in the Brief in Opposition now before the Court.

For the foregoing reasons, and the reasons stated in the Brief in Opposition, the petition for a writ of certiorari should be denied.

Respectfully submitted.

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