

NOTE: This order is nonprecedential.

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

HTC CORPORATION AND HTC AMERICA, INC.,
Plaintiffs-Appellees,

v.

IPCOM GMBH & CO., KG,
Defendant-Appellant.

2011-1004

Appeal from the United States District Court for the
District of Columbia in 08-CV-1897, Judge Rosemary M.
Collyer.

ON MOTION

Before RADER, *Chief Judge.*

O R D E R

IPCom GmbH & Co., KG moves for judicial notice of
various published patents. The appellees oppose. IPCom
replies.

Because the patents were not presented to the district
court for its consideration, and thus the appellees did not

have the opportunity to respond in the district court, we deny the motion.

Accordingly,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

APR 11 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Mitchell G. Stockwell, Esq.
Michael A. Oblon, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

APR 11 2011

JAN HORBALY
CLERK