

NOTE: This disposition is nonprecedential.

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

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**IN RE UNIFIED MESSAGING SOLUTIONS LLC  
AND ADVANCED MESSAGING TECHNOLOGIES,  
INC. PATENT LITIGATION**

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**UNIFIED MESSAGING SOLUTIONS LLC,  
ADVANCED MESSAGING TECHNOLOGIES, INC.,**  
*Plaintiffs-Appellants*

v.

**GOOGLE, INC., SHAWGUIDES INC., U.S.  
BANCORP, U.S. BANK NATIONAL ASSOCIATION,  
SCOTTRADE, INC., ORBITZ, INC., MULTIPLY,  
INC., AMERICAN AIRLINES, INC., FIFTH THIRD  
BANCORP, SANTANDER HOLDINGS USA, INC.,  
BANCORPSOUTH, INC., CUPID, PLC,**  
*Defendants*

**BMO HARRIS BANK N.A.,**  
*Defendant-Appellee*

**SOUTHWEST AIRLINES CO., GROUPON, INC.,  
UNITED AIR LINES, INC., EARTHLINK, LLC,  
GENERAL ELECTRIC CAPITAL SERVICES, INC.,  
THE NORTHWESTERN MUTUAL LIFE  
INSURANCE COMPANY, STATE STREET  
CORPORATION, GOVERNMENT EMPLOYEES  
INSURANCE COMPANY, GEICO ADVANTAGE**

**INSURANCE COMPANY, BRANCH BANKING AND  
TRUST COMPANY, COXCOM, LLC, FIDELITY  
NATIONAL INFORMATION SERVICES, INC.,  
METAVANTE CORPORATION, FISERV, INC.,  
FRIENDFINDER NETWORKS INC., VARIOUS, INC.,  
SUNTRUST BANKS, INC., SUNTRUST BANK, JUNO  
ONLINE SERVICES, INC., NETZERO, INC.,  
PEOPLECONNECT, INC., F/K/A CLASSMATES,  
BOKF, N.A., BANCO POPULAR NORTH AMERICA,  
HUMANA, INC., CONN'S INC., CONN APPLIANCES,  
INC., EVERBANK, COMPASS BANK, UNITED  
SERVICE AUTOMOBILE ASSOCIATION,  
PEOPLE'S UNITED BANK, NATIONAL  
ASSOCIATION, SPORTSVITE, LLC, HSBC NORTH  
AMERICA HOLDINGS, INC., HSBC USA, INC.,  
HSBC BANK USA, N.A., SPRINT NEXTEL  
CORPORATION, TWITTER, INC., YAHOO! INC.,  
SANTANDER BANK, N.A.,  
*Defendants-Cross-Appellants***

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2014-1611, 2016-1065, 2016-2150, 2016-2212

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Appeals from the United States District Court for the Northern District of Illinois in Nos. 1:12-cv-01488, 1:12-cv-01490, 1:12-cv-01492, 1:12-cv-03875, 1:12-cv-04413, 1:12-cv-06286, 1:12-cv-06291, 1:12-cv-06292, 1:12-cv-06293, 1:12-cv-06636, 1:12-cv-06637, 1:13-cv-00267, 1:13-cv-00269, 1:13-cv-00270, 1:13-cv-00271, 1:13-cv-00273, 1:13-cv-00274, 1:13-cv-00276, 1:13-cv-00277, 1:13-cv-00278, 1:13-cv-00324, 1:13-cv-00327, 1:13-cv-00333, 1:13-cv-00337, 1:13-cv-00338, 1:13-cv-00339, 1:13-cv-00340, 1:13-cv-00343, 1:13-cv-00344, 1:13-cv-02999, 1:13-cv-03001, 1:13-cv-03002, 1:13-cv-03007, 1:13-cv-03008, 1:13-cv-05595, 4:12-cv-00371, 6:12-cv-00290, MDL No. 2371, Judge Joan H. Lefkow.

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## JUDGMENT

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ROBERT GREENSPOON, Flachsbart & Greenspoon, LLC, Chicago, IL argued for plaintiffs-appellants. Also represented by EDWARD R. NELSON, III, THOMAS CECIL, Nelson Bumgardner PC, Fort Worth, TX; TIMOTHY EDWARD GROCHOCINSKI, JOSEPH P. OLDAKER, Orlando Park, IL; CHRISTIE LINDSEY, Berend & Lindsey, PLLC, Fort Worth, TX; ANTHONY G. SIMON, The Simon Law Firm, P.C., St. Louis, MO.

YAR ROMAN CHAIKOVSKY, Paul Hastings LLP, Palo Alto, CA, argued for defendant-appellee and defendants-cross-appellants. Defendants-cross-appellants Twitter, Inc., Yahoo! Inc. also represented by LINDSAY MARIE WHITE, MICHAEL C. HENDERSHOT. Defendant-cross-appellant Yahoo! Inc. also represented by JENNIFER H. DOAN, JOSHUA R. THANE, Haltom & Doan, Texarkana, TX.

BENJAMIN J. BRADFORD, Jenner & Block LLP, Chicago, IL, for defendant-appellee BMO Harris Bank N.A. Also represented by PETER H. HANNA, REGINALD J. HILL.

MASSIMO CICCARELLI, Thompson & Knight LLP, Dallas, TX, for defendant-cross-appellant Southwest Airlines Co. Also represented by NADIA HAGHIGHATIAN, JAMES MICHAEL HEINLEN.

THOMAS LEE DUSTON, Marshall, Gerstein & Borun LLP, Chicago, IL, for defendants-cross-appellants Groupon, Inc., United Air Lines, Inc. Also represented by TRON Y. FU.

L. NORWOOD JAMESON, Duane Morris LLP, Atlanta, GA, for defendant-cross-appellants Earthlink, LLC,

CoxCom LLC. Also represented by MATTHEW CHRISTOPHER GAUDET, JOHN R. GIBSON.

BRIAN D. ROCHE, Reed Smith LLP, Chicago, IL, for defendant-cross-appellant General Electric Capital Services, Inc. Also represented by JAMES CHRISTOPHER MARTIN, Pittsburgh, PA.

DAVID M. BARKAN, Fish & Richardson, PC, Redwood City, CA, for defendant-cross-appellant The Northwestern Mutual Life Insurance Company.

JASON C. KRAVITZ, Nixon Peabody LLP, Boston, MA, for defendant-cross-appellant State Street Corporation. Also represented by DEANNA RENE KUNZE, JASON T. KUNZE, Chicago, IL.

MATTHEW J. MOORE, Latham & Watkins LLP, Washington, DC, for defendants-cross-appellants Government Employees Insurance Company, Geico Advantage Insurance Company. Also represented by GABRIEL BELL; CLEMENT J. NAPLES, New York, NY; LISA K. NGUYEN, Menlo Park, CA.

DOUGLAS HALLWARD-DREIMEIER, Ropes & Gray LLP, Washington, DC, for defendant-cross-appellant Branch Banking and Trust Company. Also represented by JORDAN ROSSEN.

LIONEL M. LAVENUE, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Reston, VA, for defendants-cross-appellants Fidelity National Information Services, Inc, Metavante Corporation, Banco Popular North America, Everbank, People's United Bank, National Association. Also represented by JEFFREY A. BERKOWITZ, DANIEL CRAIG COOLEY.

DAVID ALAN ROODMAN, Bryan Cave LLP, St. Louis, MO, for defendants-cross-appellants Fiserv, Inc., Santander Bank, N.A. Also represented by EMMA CATHRENE HARTY, NICK E. WILLIAMSON.

JEFFREY MOTE, Greenberg Traurig LLP, Chicago, IL, for defendants-cross-appellants FriendFinder Networks Inc., Various, Inc. Also represented by MATTHEW J. LEVINSTEIN.

WES MUSSELMAN, Fish & Richardson PC, Dallas, TX, for defendants-cross-appellants Suntrust Banks, Inc., Suntrust Bank. Also represented by ANDREW V. DEVKAR, Morgan Lewis & Bockius LLP, Santa Monica, CA.

WILLIAM J. ROBINSON, Foley & Lardner LLP, Los Angeles, CA, for defendants-cross-appellants Juno Online Services, Inc., NetZero, Inc., PeopleConnect, Inc. Also represented by JEAN-PAUL CIARDULLO.

JOHN DANIEL CLAYMAN, Frederic Dowart, Lawyers, Tulsa, OK, for defendant-cross-appellant BOKF, N.A.

JEFFREY S. STANDLEY, Standley Law Group LLP, Dublin, OH, for defendant-cross-appellant Humana, Inc. Also represented by FRED MICHAEL SPEED, JR.

MICHAEL DRU MONTGOMERY, The Heartfield Law Firm, Beaumont, TX, for defendants-cross-appellants Conn's Inc., Conn Appliances, Inc.

NEIL J. MCNABNAY, Fish & Richardson, P.C., Dallas, TX, for defendant-cross-appellant Compass Bank.

MICHAEL T. ZOPPO, Fish & Richardson, P.C., New York, NY, for defendant-cross-appellant United Service Automobile Association.

ERIC STEPHEN WALTERS, Walters Wilson LLP, Redwood City, CA, for defendant-cross-appellant Sportsvite, LLC.

MICHAEL SCOTT FULLER, Locke Lord LLP, Dallas, TX, for defendants-cross-appellants HSBC North America Holdings, Inc., HSBC USA, Inc., HSBC Bank USA, N.A.

JAY E. HEIDRICK, Polsinelli PC, Kansas City, MO, for defendant-cross-appellant Sprint Nextel Corporation.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, CHEN, and HUGHES, *Circuit Judges*).

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

ENTERED BY ORDER OF THE COURT

December 8, 2017

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner  
Clerk of Court