

**FILED**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

NOV 06 2012

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

MICROSOFT CORPORATION, a  
Washington corporation,  
  
Plaintiff - Appellee,  
  
v.  
  
MOTOROLA, INC.; et al.,  
  
Defendants - Appellants.

No. 12-35352

D.C. No. 2:10-cv-01823-JLR  
Western District of Washington,  
Seattle

ORDER

Before: WALLACE, THOMAS, and BERZON, Circuit Judges.

The panel has unanimously voted to deny appellants' petition for rehearing. Judge Thomas and Judge Berzon have voted to deny the petition for rehearing en banc, and Judge Wallace so recommends.

The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The petition for rehearing is denied and the petition for rehearing en banc is rejected.