

NOTE: This order is nonprecedential.

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

APPLE INC., a California corporation,
Plaintiff-Appellee

v.

**SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC,**
Defendants-Appellants

**INTERNATIONAL BUSINESS MACHINES
CORPORATION, RESEARCH IN MOTION
CORPORATION, RESEARCH IN MOTION, LTD.,
REUTERS AMERICA, LLC,**
Defendants

2015-2088

Appeal from the United States District Court for the
Northern District of California in No. 5:11-cv-01846-LHK,
Judge Lucy H. Koh.

ON MOTION

Before PROST, *Chief Judge*, O'MALLEY and CHEN, *Circuit Judges*.

PROST, *Chief Judge*.

O R D E R

Samsung Electronics America Inc. et al. (Samsung) move to stay enforcement of the district court's judgment, pending appeal, and for approval of the supersedeas bond. Apple Inc. opposes. Samsung replies. Apple moves for summary affirmance of the district court's judgment entered upon remand from this court. Samsung opposes. Apple replies.

Summary affirmance is appropriate when “the position of one party is so clearly correct as a matter of law that no substantial question regarding the outcome of the appeal exists.” *Joshua v. United States*, 17 F.3d 378, 380 (Fed. Cir. 1994). We have reviewed the parties’ arguments and conclude that summary affirmance is appropriate.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion for summary affirmance is granted. The district court’s judgment is AFFIRMED and this court’s clerk of court is directed to enter judgment accordingly.

(2) The motion to stay is granted to the extent that enforcement of the district court’s judgment is stayed pending issuance of this court’s mandate. This court’s temporary stay is therefore lifted. Absent a petition for rehearing, this court’s mandate will issue in seven days.

APPLE INC. v. SAMSUNG ELECTRONICS CO., LTD.

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FOR THE COURT

/s/ Daniel E. O'Toole

Daniel E. O'Toole

Clerk of Court