

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Versata Software, Inc. *et al.*,

Plaintiffs,

v.

Ford Motor Company,

Defendant.

No. 15-cv-10628-MFL-EAS
(consolidated with No. 15-cv-11264)

Hon. Matthew F. Leitman

**FORD MOTOR COMPANY'S NOTICE OF CONDITIONAL
CROSS-APPEAL TO THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

Defendant Ford Motor Company conditionally cross-appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on November 15, 2023 (ECF No. 1121), and from all orders, opinions, decisions, and rulings prior to the entry of the judgment including, without limitation, the Opinion and Order entered in this action on May 1, 2023 (ECF No. 1054), as modified on June 8, 2023 (ECF No. 1063), denying Ford's motion for judgment as a matter of law on liability for Versata's trade secret misappropriation claims. *See* ECF No. 1054, PageID.67209-67220.

Ford has now prevailed on the issue of damages for Versata's trade secret misappropriation claims and does not believe there is any basis to disturb the final judgment. However, Versata filed a Notice of Appeal (ECF No. 1122), and Ford

wishes to preserve its rights and objections in response to Versata's appeal. In particular, if Versata prevails on the issue of damages in this Court, Ford files this conditional cross-appeal to address liability issues regarding Versata's trade secret misappropriation claims, including, but not limited to, the District Court's ruling against Ford on the issue whether a reasonable jury could have found that Ford had knowledge of each of the alleged combination trade secrets.

With this notice, Ford Motor Company includes payment of the filing fee (\$505), required by Federal Rule of Appellate Procedure 3(e) and Federal Circuit Rule 52(a).

Dated: November 29, 2023

Respectfully submitted,

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