

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

APPLE INC., and NEXT SOFTWARE,
INC. (f/k/a NeXT COMPUTER, INC.),

Plaintiffs and
Counterclaim-Defendants,

v.

MOTOROLA, INC. and MOTOROLA
MOBILITY, INC.

Defendants and
Counterclaim-Plaintiffs

Case No. 11-CV-08540

Judge Richard A. Posner

PLAINTIFFS' NOTICE OF APPEAL

Plaintiffs Apple Inc. and NeXT Software, Inc. (collectively, "Apple"), by counsel, hereby appeal to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on June 22, 2012 (Dkt. No. 1039) dismissing with prejudice Apple's claims and counterclaims against Defendants Motorola, Inc. and Motorola Mobility, Inc. (collectively, "Motorola"), and all orders underlying the judgment, including without limitation:

(1) those portions of the Court's summary judgment and claim construction orders that were adverse to Apple (including without limitation Dkt. Nos. 176, 526, 556, 671, 691, 706, 724, 751, 767, 826 and 1005);

(2) those portions of the Court's evidentiary orders (including without limitation Dkt. Nos. 960 and 980) that were adverse to Apple in excluding certain evidence Apple intended to offer;

(3) those portions of the Court's May 22, 2012 Opinion and Order adverse to Apple in which the Court struck Apple's damages expert and underlying damages theories (Dkt. No. 956); and

(4) those portions of the Court's June 22, 2012 Opinion and Order adverse to Apple granting summary judgment against Apple as it relates to (1) Apple's damages theories and (2) Apple's entitlement to an injunction with respect to the Apple patents (Dkt. No. 1038).

Dated: July 20, 2012

Respectfully submitted,

/s/ Brian E. Ferguson
Robert T. Haslam
rhaslam@cov.com
COVINGTON & BURLING LLP
333 Twin Dolphin Drive, Suite 700
Redwood Shores, CA 94065-1418
Telephone: (650) 632-4700
Facsimile: (650) 632-4800

Robert D. Fram
rfram@cov.com
Christine Saunders Haskett
chaskett@cov.com
Winslow B. Taub
wtaub@cov.com
COVINGTON & BURLING LLP
One Front Street
San Francisco, CA 94111-5356
Telephone: (415) 591-6000
Facsimile: (415) 591-6091

Matthew D. Powers
Matthew.Powers@tensegritylawgroup.com
Steven Cherensky
Steven.Cherensky@tensegritylawgroup.com
Tensegrity Law Group LLP
555 Twin Dolphin Drive, Suite 360
Redwood Shores, CA 94065
Telephone: 650-802-6010
Facsimile: 650-802-6001

Brian E. Ferguson
brian.ferguson@weil.com
WEIL, GOTSHAL & MANGES LLP
1300 Eye Street, N.W., Suite 900
Washington, DC 20005
Telephone: (202) 682-7000
Facsimile: (202) 857-0940

*Attorneys for Plaintiffs Apple Inc.
and NeXT Software, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2012, I caused the foregoing document to be electronically filed with the Clerk of Court using the ECF system, which will make this document available to all counsel of record for viewing and downloading from the ECF system.

/s/ Brian E. Ferguson
Brian E. Ferguson