

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

FILED BY KP D.C.

Aug 31, 2023

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August 31, 2023

Clerk - Southern District of Florida
U.S. District Court
400 N MIAMI AVE
MIAMI, FL 33128-1810

Appeal Number: 21-12835-DD
Case Style: Apple Inc. v. Corellium, Inc.
District Court Docket No: 9:19-cv-81160-RS

A copy of this letter, and the judgment form if noted above, but not a copy of the court's decision, is also being forwarded to counsel and pro se parties. A copy of the court's decision was previously forwarded to counsel and pro se parties on the date it was issued.

The enclosed copy of the judgment is hereby issued as mandate of the court. The court's opinion was previously provided on the date of issuance.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
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Enclosure(s)

MDT-1 Letter Issuing Mandate

In the
United States Court of Appeals
For the Eleventh Circuit

No. 21-12835

APPLE INC.,

Plaintiff-Counter Defendant-Appellant,

versus

CORELLIUM, INC.,

Defendant- Counter Claimant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 9:19-cv-81160-RS

JUDGMENT

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21-12835

It is hereby ordered, adjudged, and decreed that the opinion issued on this date in this appeal is entered as the judgment of this Court.

Entered: May 8, 2023

For the Court: DAVID J. SMITH, Clerk of Court

ISSUED AS MANDATE: August 31, 2023

[DO NOT PUBLISH]

In the
United States Court of Appeals
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No. 21-12835

APPLE INC.,

Plaintiff-Counter Defendant-Appellant,

versus

CORELLIUM, INC.,

Defendant-Counter Claimant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 9:19-cv-81160-RS

Before BRANCH and LUCK, Circuit Judges, and SANDS,* District Judge.

PER CURIAM:

This is a copyright case. Apple Inc. owns copyrights for iOS—the operating system that the company uses for devices like iPhones, iPads, and iPod Touches—and for some of that operating system’s icons and wallpapers. Corellium, Inc. is a technology company. It created a virtualization software—basically a virtual phone—that can run various operating systems (like Android and iOS). The virtualization software includes tools that enable security researchers to gain deeper insights into these operating systems. Looking to stop Corellium from selling its product, Apple sued Corellium alleging copyright infringement.

The district court granted summary judgment for Corellium on Apple’s three copyright claims: (1) direct infringement of iOS (count one), (2) direct infringement of Apple’s icons and wallpapers (count two), and (3) contributory infringement (count three). As to count one, the district court found that Corellium was not liable for copying iOS because Corellium was shielded by the fair use doctrine. As to counts two and three, the district court entered summary judgment for Corellium without separately addressing those claims.

* Honorable W. Louis Sands, United States District Judge for the Middle District of Georgia, sitting by designation.

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