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20-1049, 20-1051

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

UNILOC 2017 LLC,

Plaintiff/Appellee

v.

MICROSOFT CORPORATION,

Defendant/Appellant

Appeal from the United States District Court for the Central District of California in case nos. 8:18-cv-02053-AG-JDE and 8:19-cv-00158-AG-JDE,

Judge Andrew J. Guilford

APPELLANT'S OPENING BRIEF

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Counsel for Appellant Microsoft Corporation

January 15, 2020



CERTIFICATE OF INTEREST

Counsel for appellant certifies the following:

The full name of the party I represent is:

Microsoft Corporation

The names of all other real parties in interest represented by me are:

none

The names of all parent corporations and any publicly held companies that own 10% or more of the stock of the party I represent are:

none

The names of all law firms and lawyers that appeared for the parties now represented by me in the district court or that are expected to appear in this Court but have not yet appeared in this Court are:

FISH & RICHARDSON P.C.

Juanita Rose Brooks
Steven R. Katz
Katherine H. Reardon

Roger A. Denning Aamir A. Kazi Benjamin K. Thompson

Indranil Mukerji

James Huguenin-Love

WHITE & CASE LLP

Shamita D. Etienne-Cummings James P. Gagen

Allen W. Wang

KELLER/ANDERLE LLP

Chase Scolnick

MICROSOFT CORPORATION

David Killough



The titles and numbers of any cases known to counsel to be pending in this or any other court or agency that will directly affect or be directly affected by this Court's decision in the pending appeal are:

none

Dated: January 15, 2020 /s/Elizabeth Banzhoff

Elizabeth Banzhoff

Counsel for Appellant

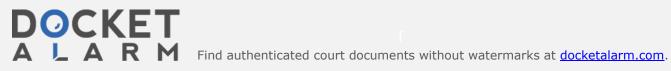


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	A.	A voluntary dismissal with prejudice is a judicially enforceable judgment and thus bears the hallmarks of "judicial imprimatur"	
	В.	Microsoft is the "prevailing party" because it achieved its desired result within the litigation	
	C.	This and other courts have recognized that voluntary dismissals may confer "prevailing party" status on the defendant	



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