Miscellaneous Docket No.

IN THE United States Court of Appeals for the Federal Circuit

IN RE APPLE INC.,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for the Western District of Texas No. 6:21-cv-01071-ADA, Hon. Alan D Albright

APPLE INC.'S PETITION FOR WRIT OF MANDAMUS

Steven D. Moore KILPATRICK TOWNSEND & STOCKTON LLP Two Embarcadero Center Suite 1900 San Francisco, CA 94111

Mansi Shah KILPATRICK TOWNSEND & STOCKTON LLP 1302 El Camino Real, Suite 175 Menlo Park, CA 94025 Melanie L. Bostwick Jonas Q. Wang ORRICK, HERRINGTON & SUTCLIFFE LLP 1152 15th Street NW Washington, DC 20005 (202) 339-8400

Alton L. Absher III KILPATRICK TOWNSEND & STOCKTON LLP 1001 West Fourth Street Winston-Salem, NC 27101

RM

Counsel for Petitioner

FORM 9. Certificate of Interest

Form 9 (p. 1) July 2020

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

CERTIFICATE OF INTEREST

Case Number

Short Case Caption In re Apple Inc.

Filing Party/Entity Apple Inc.

Instructions: Complete each section of the form. In answering items 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance. **Please enter only one item per box; attach additional pages as needed and check the relevant box**. Counsel must immediately file an amended Certificate of Interest if information changes. Fed. Cir. R. 47.4(b).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 09/08/2022

Signature: /s/ Melanie L. Bostwick

Name: Melanie L. Bostwick

FORM 9. Certificate of Interest

DOCKET

LARM

Α

Form 9 (p. 2) July 2020

1. Represented Entities. Fed. Cir. R. 47.4(a)(1).	2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).	3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.
	☑ None/Not Applicable	☑ None/Not Applicable
Apple Inc.		
	Additional pages attach	ed

Find authenticated court documents without watermarks at docketalarm.com.

FORM 9. Certificate of Interest

DOCKF

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

□ None/Not Applicable	Additional pages attached	
Kelly Hart & Hallman LLP J. Stephen Ravel		Rishi Gupta
Andrew W. Rinehart	Amanda N. Brouillette	Kasey E. Koballa
Christopher P. Schaffer		

5. Related Cases. Provide the case titles and numbers of any case known to be pending in this court or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal. Do not include the originating case number(s) for this case. Fed. Cir. R. 47.4(a)(5). See also Fed. Cir. R. 47.5(b).

□ None/Not Applicable [□ Additional pages attached
-------------------------	-----------------------------

In re Apple Inc., No. 22-162 (Fed. Cir.)	In re Apple Inc., No. 22-163 (Fed. Cir.)	

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

\checkmark	None/Not Applicable	\Box Additional pages attached	

TABLE OF CONTENTS

Page

CERTIFICA	TE OF INTEREST		
TABLE OF AUTHORITIESvi			
STATEMEN	T OF RELATED CASES 1		
INTRODUC	TION2		
RELIEF SO	UGHT4		
ISSUE PRE	SENTED		
FACTUAL E	BACKGROUND AND PROCEDURAL HISTORY		
D	oge sues Apple for patent infringement in the Western District of Texas despite having no connection to that istrict		
	moves to transfer the suit to the Northern District of California, and venue discovery proceeds7		
fa	strict court sua sponte orders the parties to complete act discovery and "re-brief" Apple's transfer motion efore it will consider whether to transfer venue		
REASONS F	FOR ISSUING THE WRIT		
	Apple Has A Clear And Indisputable Right To The Vrit		
А	A. The district court clearly abused its discretion by violating binding precedent requiring courts to prioritize transfer motions		
В	8. The district court's stated reasons for its extraordinary order cannot justify its departure from precedent		
II. A	Apple Has No Other Adequate Means To Obtain Relief29		
S	Andamus Is Appropriate Here Because Apple Has A Strong Case For Transfer And The Equities Heavily Yavor Apple		

DOCKET A L A R M



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.