

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

ALIVECOR, INC.,
Appellant

v.

INTERNATIONAL TRADE COMMISSION,
Appellee

APPLE INC.,
Intervenor

APPLE INC.,
Appellant

v.

INTERNATIONAL TRADE COMMISSION,
Appellee

ALIVECOR, INC.,
Intervenor

2023-1509, 2023-1553

Appeals from the United States International Trade
Commission in Investigation No. 337-TA-1266.

ON MOTION

Before DYK, *Circuit Judge*.

ORDER

Apple Inc. moves unopposed pursuant to Federal Circuit Rule 25.1(d)(3) to redact from its opening and response brief 49 unique words relating to AliveCor, Inc.'s confidential business information regarding its finances, product information, and related agreements with third-parties. Dr. Hugh Calkins, the Computer & Communications Industry Association ("CCIA"), Dr. Leslie A. Saxon, Unified Patents, LLC, and Dr. Robert M. Wachter (collectively, "the amici") separately move for leave to file briefs amicus curiae in support of Apple. The amici state that Apple and the International Trade Commission consent to their motions and that AliveCor does not consent. AliveCor has not responded to the amici's motions.

The court notes that the briefs submitted by Dr. Calkins, CCIA, Unified Patents, and Dr. Wachter include the following deficiencies: (1) Dr. Calkins's, CCIA's, and Dr. Wachter's briefs do not include the source of authority to file, *see* Fed. R. App. P. 29(a)(4)(D); (2) the covers of CCIA's and Unified Patents's briefs do not state whether the briefs support affirmance or reversal, *see* Fed. R. App. P. 29(a)(4); and (3) the cover of CCIA's brief does not identify the party or parties supported, *see id.*

Upon consideration thereof,

IT IS ORDERED THAT:

(1) ECF Nos. 42-1, 45-1, 51-1, and 52, are granted to the extent that, no later than seven days from the date of entry of this order, Dr. Calkins, CCIA, Unified Patents, and Dr. Wachter are each directed to file a corrected amicus

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brief resolving the above-identified issues and including the word “corrected” in the title, Fed. Cir. R. 25(i)(2).

(2) Dr. Saxon’s motion, ECF No. 48-1, is granted. ECF No. 48-2 is accepted for filing.

(3) The motion to exceed the confidential word limit, ECF No. 39, is granted. The confidential and non-confidential versions of Apple’s opening and response brief (ECF Nos. 37 and 38, respectively) are accepted for filing.

FOR THE COURT

September 28, 2023

Date

/s/ Jarrett B. Perlow

Jarrett B. Perlow

Clerk of Court