

NOTE: This order is nonprecedential.

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

APPLE INC.,
Plaintiff-Appellant,

v.

**SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
ELECTRONICS AMERICA, INC., AND SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC,**
Defendants-Cross Appellants.

2012-1600, -1606

Appeals from the United States District Court for the
Northern District of California in case no. 11-CV-1846,
Judge Lucy H. Koh.

ON MOTION

PER CURIAM.

O R D E R

Samsung Electronics Co., Ltd. et al. and Apple Inc.
each move for a stay, pending appeal, of the orders of the
United States District Court for the Northern District of
California unsealing certain trial and motion exhibits.

APPLE INC. V SAMSUNG ELECTRONICS CO., LTD.

2

In deciding whether to grant a stay or injunction pending appeal, this court “assesses [the] movant’s chances for success on appeal and weighs the equities as they affect the parties and the public.” *E.I. Dupont de Nemours & Co. v. Phillips Petroleum Co.*, 835 F.2d 277, 278 (Fed. Cir. 1987); *see also Standard Havens Prods. v. Gencor Indus.*, 897 F.2d 511 (Fed. Cir. 1990). To prevail, a movant must establish a strong likelihood of success on the merits or, failing that, must demonstrate that it has a substantial case on the merits and that the harm factors militate in its favor. *Hilton v. Braunskill*, 481 U.S. 770, 778 (1987).

Upon consideration thereof,

IT IS ORDERED THAT:

The motions are granted.

FOR THE COURT

SEP 18 2012

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Kathleen M. Sullivan, Esq.
William F. Lee, Esq.
William R. Stein, Esq.

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FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

SEP 18 2012

JAN HORBALY
CLERK