United States Court of Appeals for the Federal Circuit

TECSEC, INC.,
Plaintiff-Appellant,

v.

INTERNATIONAL BUSINESS MACHINES CORPORATION,
Defendant-Appellee,

AND

CISCO SYSTEMS, INC., SAS INSTITUTE, INC., SAP AMERICA, INC., SAP, AG, SUN MICROSYSTEMS, INC., ORACLE CORPORATION, SYBASE, INC., SOFTWARE AG, SOFTWARE AG, INC., ADOBE SYSTEMS, INC., EBAY INC., AND PAYPAL, INC.,
Defendants.

2011-1303

Appeal from the United States District Court for the Eastern District of Virginia in case no. 10-CV-0115, Judge Leonie M. Brinkema.

TECSEC, INC.,

Plaintiff-Appellee,

v.

INTERNATIONAL BUSINESS MACHINES CORPORATION,
Defendant-Appellant,

AND

CISCO SYSTEMS, INC., SAS INSTITUTE, INC., SAP AMERICA, INC., SAP, AG, SUN MICROSYSTEMS, INC., ORACLE CORPORATION, SYBASE, INC., SOFTWARE AG, SOFTWARE AG, INC., ADOBE SYSTEMS, INC., EBAY INC., AND PAYPAL, INC.,
Defendants.

2011-1345

Appeal from the United States District Court for the Eastern District of Virginia in case no. 10-CV-0115, Judge Leonie M. Brinkema.

ON MOTION

ORDER

International Business Machines Corporation moves to dismiss its cross-appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to dismiss 2011-1345 is granted. Each side shall bear its own costs in 2011-1345.

(2) The revised official caption for 2011-1303 is reflected above.

FOR THE COURT

__JUL 2 5 2011__   /s/ Jan Horbaly
        Date   Jan Horbaly
                                     Clerk

cc: Brian M. Buroker, Esq.
     John M. Desmarais, Esq.

s21

Issued As A Mandate (As To 2011-1345 Only): __JUL 2 5 2011__