

NOTE: This order is nonprecedential.

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

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**DICAM, INC.,**  
*Plaintiff-Appellant,*

v.

**CELLCO PARTNERSHIP (DOING BUSINESS AS  
VERIZON WIRELESS),**  
*Defendant-Appellee,*

and

**AT&T MOBILITY LLC  
(FORMERLY KNOWN AS CINGULAR WIRELESS,  
LLC), SPRINT SPECTRUM, LP, AND NEXTEL  
OPERATIONS, INC.,**  
*Defendants-Appellees,*

and

**PERSONAL COMMUNICATIONS DEVICES, LLC  
(FORMERLY KNOWN AS UTSTARCOM),**  
*Defendant-Appellee,*

and

**PALM, INC.,**  
*Defendant-Appellee.*

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2011-1034

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Appeal from the United States District Court for the Western District of Virginia in case no. 08-CV-0053, Judge James C. Turk.

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**ON MOTION**

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Before RADER, *Chief Judge*, NEWMAN and BRYSON, *Circuit Judges*.

BRYSON, *Circuit Judge*.

**O R D E R**

The parties jointly move to remand this case to the district court due to settlement.

The parties state that they have settled the case and move to remand so that the United States District Court for the Western District of Virginia can consider a motion to vacate certain orders relating to claim construction and summary judgment. We grant the motion to the extent that we remand for the limited purpose of the district court's consideration of the parties' motion for vacatur. *Ohio Willow Wood Co. v. Thermo-Ply, Inc.*, 629 F.3d 1374, 1375 (Fed. Cir. 2011). We retain jurisdiction so that any of the parties may seek appellate review by notifying the clerk of the court within thirty days of entry of the district court's decision on remand. The appeals are held in abeyance pending the resolution of the motion for vacatur by the district court. The parties should promptly inform this court of the district court's ruling on the motion pursuant to Fed. R. App. P. 12.1(b) and should propose how they believe the appeals should proceed in light of the district court's ruling.

Upon consideration thereof,

**IT IS ORDERED THAT:**

The motion to remand is granted to limited extent explained above. The court retains jurisdiction over the appeal at this time.

FOR THE COURT

APR 04 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Michael T. Cooke, Esq.  
David L. Witcoff, Esq.  
Brian C. Riopelle, Esq.  
Mark V. Campagna, Esq.  
David C. Doyle, Esq.  
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**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

APR 04 2011

JAN HORBALY  
CLERK