

NOTE: This order is nonprecedential.

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

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**IN RE APPLE INC.**

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2014-1002

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Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in Reexamination No. 90/011,287.

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**ON MOTION**

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Before NEWMAN, RADER, and HUGHES, *Circuit Judges*.  
NEWMAN, *Circuit Judge*.

**ORDER**

The parties jointly move to remand to the United States Patent and Trademark Office (PTO) to reconsider its rejection of claims 13 and 15-31 of U.S. Patent No. 5,946,647 (the '647 patent) in light of this court's decision in *Apple Inc. v. Motorola Inc.*, Appeal Nos. 2012-1548, -1549.

In *Apple*, this court affirmed the district court's construction of "linking actions to the detected structures" in the '647 patent. We agree with the parties that the case

should be remanded to the Board to reconsider its decision in light of this construction.

Accordingly,

IT IS ORDERED THAT:

(1) The motion to remand is granted. This appeal is remanded for further proceedings consistent with this order.

(2) Each side shall bear its own costs.

FOR THE COURT

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk

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ISSUED AS A MANDATE: June 4, 2014