



Judgment in Monec v. Apple Vacated

02.23.2010

On Friday, February 19, the Eastern District of Virginia vacated its earlier order granting judgment in favor of Apple, and dismissed the case, pursuant to the parties' joint stipulated [order](#). The order finally resolves the case between the parties, including Monec's pending appeal to the Federal Circuit. In its [memorandum supporting the request for vacatur](#), Monec explained that the parties resolved the case using the Federal Circuit's mediation process. Monec contended that the parties' resolution rendered the Court's judgment moot, and that there were open questions as to whether Monec had a full and fair opportunity to litigate its claims, and whether the Court applied proper procedural standards in issuing judgment in favor of Apple so early in the case, before any discovery or claim construction process. See our previous posts on the case [here](#).

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