

THEODORE J. BOUTROUS JR., SBN 132099
tboutrous@gibsondunn.com
RICHARD J. DOREN, SBN 124666
rdoren@gibsondunn.com
DANIEL G. SWANSON, SBN 116556
dswanson@gibsondunn.com
JAY P. SRINIVASAN, SBN 181471
jsrinivasan@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: 213.229.7000
Facsimile: 213.229.7520

VERONICA S. MOYÉ (Texas Bar No.
24000092; *pro hac vice*)
vmoye@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue, Suite 1100
Dallas, TX 75201
Telephone: 214.698.3100
Facsimile: 214.571.2900

MARK A. PERRY, SBN 212532
mperry@gibsondunn.com
CYNTHIA E. RICHMAN (D.C. Bar No.
492089; *pro hac vice*)
crichman@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036
Telephone: 202.955.8500
Facsimile: 202.467.0539

ETHAN DETTMER, SBN 196046
edettmer@gibsondunn.com
ELI M. LAZARUS, SBN 284082
elazarus@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street
San Francisco, CA 94105
Telephone: 415.393.8200
Facsimile: 415.393.8306

Attorneys for Defendant APPLE INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-
defendant

v.

APPLE INC.,

Defendant,
Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

NOTICE OF APPEAL

NOTICE OF APPEAL

Notice is hereby given that Defendant Apple Inc. appeals to the United States Court of Appeals for the Ninth Circuit from the final judgment and order of permanent injunction entered on September 10, 2021 (Dkts. 813 & 816), as well as all rulings, orders, findings, and conclusions leading up to that judgment and order, including but not limited to those set forth in the Rule 52 Order After Trial on the Merits (Dkt. 812).

Plaintiff Epic Games, Inc. previously noticed an appeal from the same final judgment, which has been docketed as No. 21-16506 in the Ninth Circuit.

DATED: October 8, 2021

By /s/ Mark A. Perry
GIBSON, DUNN & CRUTCHER LLP

Mark A. Perry
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036
Telephone: 202.955.8500
Facsimile: 202.467.0539

Attorney for Apple Inc.

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 6. Representation Statement

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>

Appellant(s) (List *each* party filing the appeal, do not use “et al.” or other abbreviations.)

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Theodore J. Boutrous, Jr.
GIBSON, DUNN & CRUTCHER LLP

Address: 333 S Grand Avenue Los Angeles, CA 90071

Telephone number(s): 213-229-7804

Email(s): tboutrous@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellee(s) (List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)

Name(s) of party/parties:

Epic Games, Inc.

Name(s) of counsel (if any):

Gary Bornstein
CRAVATH, SWAINE & MOORE, LLP

Address: 825 8th Avenue New York, NY 10019

Telephone number(s): 212-474-1000

Email(s): gbornstein@cravath.com

To list additional parties and/or counsel, use next page.

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Rachel S. Brass
GIBSON, DUNN & CRUTCHER LLP

Address: 555 Mission Street Suite 3000 San Francisco, CA 94105

Telephone number(s): 415-393-8293

Email(s): rbrass@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Epic Games, Inc.

Name(s) of counsel (if any):

M. Brent Byars
CRAVATH, SWAINE & MOORE, LLP

Address: 825 8th Avenue New York, NY 10019

Telephone number(s): 212-474-1000

Email(s): mbyars@cravath.com

Name(s) of party/parties:

Epic Games, Inc.

Name(s) of counsel (if any):

Wes Earnhardt
CRAVATH, SWAINE & MOORE, LLP

Address: 825 8th Avenue New York, NY 10019

Telephone number(s): 212-474-1000

Email(s): yeven@cravath.com

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Richard J. Doren GIBSON, DUNN & CRUTCHER LLP

Address: 333 S Grand Avenue Los Angeles, CA 90071

Telephone number(s): 213-229-7038

Email(s): rdoren@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Epic Games, Inc.

Name(s) of counsel (if any):

Katherine Forrest CRAVATH, SWAINE & MOORE, LLP

Address: 825 8th Avenue New York, NY 10019

Telephone number(s): 212-474-1000

Email(s): kforrest@cravath.com

Name(s) of party/parties:

Epic Games, Inc.

Name(s) of counsel (if any):

Paul J. Riehle FAEGRE DRINKER BIDDLE & REATH LLP

Address: Four Embarcadero Center 27th Floor San Francisco, CA 94111

Telephone number(s): 415-591-7521

Email(s): paul.riehle@faegredrinker.com

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Karen L. Dunn PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

Address: 2001 K Street NW Washington, DC 20006

Telephone number(s): 202-223-7300

Email(s): kdunn@paulweiss.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Samuel Eckman GIBSON, DUNN & CRUTCHER LLP

Address: 333 S Grand Avenue Los Angeles, CA 90071

Telephone number(s): 484-354-8170

Email(s): seckman@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Julian Kleinbrodt GIBSON, DUNN & CRUTCHER LLP

Address: 555 Mission Street Suite 3000 San Francisco, CA 94105

Telephone number(s): 415-393-8382

Email(s): jkleinbrodt@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Jason C. Lo GIBSON, DUNN & CRUTCHER LLP

Address: 333 S Grand Avenue

Telephone number(s): 213-229-7000

Email(s): jlo@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Mark A. Perry GIBSON, DUNN & CRUTCHER LLP

Address: 1050 Connecticut Avenue NW Washington, DC 20036

Telephone number(s): 202-887-3667

Email(s): mperry@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Cynthia Richman GIBSON, DUNN & CRUTCHER LLP

Address: 1050 Connecticut Avenue NW Washington, DC 20036

Telephone number(s): 202-955-8234

Email(s): crichman@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Jagannathan Srinivasan GIBSON, DUNN & CRUTCHER LLP

Address: 333 S Grand Avenue Los Angeles, CA 90071

Telephone number(s): 213-229-7296

Email(s): jsrinivasan@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Daniel G. Swanson GIBSON, DUNN & CRUTCHER LLP

Address: 333 S Grand Avenue Los Angeles, CA 90071

Telephone number(s): 213-229-7430

Email(s): dswanson@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Continued list of parties and counsel: *(attach additional pages as necessary)*

Appellants

Name(s) of party/parties:

Apple Inc.

Name(s) of counsel (if any):

Joshua M. Wesneski GIBSON, DUNN & CRUTCHER LLP

Address: 1050 Connecticut Avenue, NW Washington, DC 20036

Telephone number(s): 213-887-3598

Email(s): jwesneski@gibsondunn.com

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

Appellees

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov