

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

FILED
United States Court of Appeals
Tenth Circuit

January 2, 2018

Elisabeth A. Shumaker
Clerk of Court

THE SCO GROUP, INC., a Delaware
corporation,

Plaintiff Counterclaim Defendant -
Appellant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant Counterclaimant -
Appellee.

No. 16-4040
(D.C. No. 2:03-CV-00294-DN)
(D. Utah)

JUDGMENT

Before **KELLY, EBEL,** and **BACHARACH,** Circuit Judges.

This case originated in the District of Utah and was argued by counsel.

The judgment of that court is affirmed in part and reversed in part. The case is remanded to the United States District Court for the District of Utah for further proceedings in accordance with the opinion of this court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk