

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

CALYPSO WIRELESS, INC., DRAGO DAIC, &  
JIMMY WILLIAMSON, P.C.,

Plaintiffs-Counterclaim Defendants,

v.

T-MOBILE USA, INC.,

Defendant-Counterclaim Plaintiff.

Case No. 2:08-CV-441-RG-RP

Jury Trial Demanded

**PLAINTIFFS' NOTICE OF APPEAL**

Notice is hereby given that all Plaintiffs in the above-styled and numbered case hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment of this Court of March 19, 2013 (ECF No. 323), including and/or further including the Court's Order of February 25, 2013 (ECF No. 320) denying Plaintiffs' objections (ECF No. 316) and adopting Report and Recommendation for granting summary judgment of non-infringement (ECF No. 309); the Order of January 16, 2013 (ECF No. 312) denying Plaintiffs' Motion for Reconsideration (ECF No. 291); the Report and Recommendation of January 15, 2013 (ECF No. 309) for granting summary judgment of non-infringement; the Order of January 9, 2013 (ECF No. 306) denying Plaintiffs' Motion for Reconsideration (ECF No. 286) of Order (ECF No. 278) regarding Plaintiffs' Motion to Compel (ECF No. 251); the Claim Construction Memorandum and Order of December 3, 2012 (ECF No. 281); the Order of November 21, 2012 (ECF No. 278) regarding Plaintiffs' Motion to Compel (ECF No. 251); the Order(s) in Motion Hearing Minutes and Order of November 15, 2012 (ECF No. 271) granting and/or denying in part Defendant's Motion to Compel (ECF No. 249) and Plaintiffs' Motion to Compel (ECF No. 251); and the Court's denial and/or failure to consider or rule upon Plaintiffs' Motion for Reconsideration

(ECF No. 282) of the Order at ECF No. 271; the Order of March 4, 2013 (ECF No. 321); and all underlying, ancillary, or subsidiary orders, rulings, and findings regarding any of the above orders or motions or the construction of patent claims in this case.

Any docketing fees required are submitted contemporaneously with this Notice.

Respectfully Submitted,

/s/ Guy E. Matthews s/  
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**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on April 18, 2013. Any other counsel of record will be served by first class mail on this same date.

/s/ Guy E. Matthews s/