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13 e.Digital Corporation

14 **UNITED STATES DISTRICT COURT**  
15 **SOUTHERN DISTRICT OF CALIFORNIA**

16 e.Digital Corporation,  
17 Plaintiff,

18 v.

19 Futurewei Technologies, Inc. dba  
20 Huawei Technologies (USA); Huawei  
21 Device USA, Inc.,  
22 Defendants.

Case No. 3:13-cv-00783-DMS-WVG

**NOTICE OF APPEAL**

**Assigned to the  
Honorable Judge Dana M. Sabraw**

**Ctrm: 13A (Annex)**

23 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

24 PLEASE TAKE NOTICE THAT E.DIGITAL CORPORATION, the  
25 Plaintiff and Counter-Defendant in the above-titled matter, hereby appeals to the  
26 United States Court of Appeals for the Federal Circuit from the Judgment of the  
27 District Court entered on October 7, 2013 (Dkt #73) and all other appealable  
28 decisions, findings, orders and rulings related to, supporting, merged into, and/or  
incorporated in the Judgment or which otherwise negatively impacted e.Digital  
Corporation’s claims and rights, including but not limited to the following:

- 1) The Court’s “Order Granting Defendants’ Motion to Apply Collateral Estoppel” (Dkt #64), dated August 21, 2013.

1 A copy of the documents referenced above are incorporated herewith as  
2 Exhibits A and B.

3  
4 **HANDAL & ASSOCIATES**

5 Dated: October 8, 2013

6 BY: /s/Pamela C. Chalk \_\_\_\_\_  
7 Anton N. Handal  
8 Pamela C. Chalk  
9 Gabriel G. Hedrick  
10 Attorneys for Plaintiff  
11 And Counter-Defendant  
12 e.Digital Corporation  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on this date to all counsel of record, if any to date, who are deemed to have consented to electronic service via the Court’s CM/ECF system per CivLR 5.4(d). Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery upon their appearance in this matter.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed this 8th day of October, 2013 at San Diego, California.

**HANDAL & ASSOCIATES**

Dated: October 8, 2013

By: /s/Pamela C. Chalk  
Anton N. Handal  
Pamela C. Chalk  
Gabriel G. Hedrick  
Attorneys for Plaintiff  
And Counter-Defendant  
e.Digital Corporation