

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**IN RE PAPST LICENSING GMBH & CO.
KG PATENT LITIGATION**

**The Document Relates To:
ALL CASES**

**Misc. Action No. 07-493 (RMC)
MDL No. 1880**

NOTICE OF APPEAL

Alan M. Fisch (DC-453068)
Alan.Fisch@FischLLP.com
R. William Sigler (DC-490957)
Bill.Sigler@FischLLP.com
FISCH HOFFMAN SIGLER LLP
5335 Wisconsin Avenue NW
Eighth Floor
Washington, DC 20015
(202) 362-3500 telephone
(202) 362-3501 facsimile

*Attorneys for Plaintiff Papst Licensing GmbH
& Co. KG.*

November 20, 2013

Notice is hereby given that Plaintiff Papst Licensing GmbH & Co. KG (“Papst”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in this action (Docket Nos. 559, 560). Papst further appeals from any and all intervening orders, decisions, or rulings that gave rise to such final judgment and any subsequent orders, decisions, or rulings that failed to alter such final judgment, to the extent such orders, decisions, or rulings were adverse to Papst, including without limitation:

1. The Minute Order dated August 1, 2008 denying Papst’s request to present expert testimony at the claims construction hearing.
2. The Opinion and Order dated November 12, 2008 (Docket Nos. 254, 255) granting motion to dismiss.
3. The Opinion and Order dated March 5, 2009 (Docket Nos. 271, 272) granting motion to dismiss.
4. The Opinion and Order dated March 5, 2009 (Docket Nos. 273, 274) denying-in-part Papst’s motion to reconsider.
5. The Opinion and Order dated March 26, 2009 (Docket Nos. 282, 283) granting motion to dismiss.
6. The Opinion and Order dated June 12, 2009 (Docket Nos. 312, 313) denying-in-part Papst’s proposed claim constructions.
7. The Opinion and Order dated November 24, 2009 (Docket Nos. 336, 337) denying-in-part Papst’s proposed claim constructions.
8. The Order dated November 10, 2010 (Docket No. 391) staying the Second Wave matters, as well as the Minute Orders dated July 14, 2009, and September 1, 2009 staying the Second Wave matters.

9. The Minute Order dated January 28, 2011 striking Papst's revised final infringement contentions.
10. The Opinion and Order dated February 1, 2011 (Docket Nos. 424, 425) denying Papst leave to file an amended complaint.
11. The Opinion and Order dated February 2, 2011 (Docket Nos. 426, 427) granting-in-part Hewlett-Packard's motion to strike.
12. The Opinion and Order dated February 8, 2011 (Docket Nos. 429, 430) granting-in-part Defendants' motion for sanctions.
13. The Opinion and Order dated June 15, 2011 (Docket Nos. 458, 459) denying Papst's motion for partial reconsideration.
14. The Opinion and Order dated November 20, 2012 (Docket Nos. 520, 521) granting Defendants' motion for summary judgment regarding the "Forty-Seven Accused Products."
15. The Opinion and Order dated March 19, 2013 (Docket Nos. 524, 525) granting Defendants' motion for summary judgment regarding memory cards not constituting data transmit/receive devices.
16. The Opinion and Order dated May 8, 2013 (Docket Nos. 528, 529) granting Defendants' motion for summary judgment regarding the "data transmit/receive device" claim limitation.
17. The Opinion and Order dated July 1, 2013 (Docket Nos. 534, 535) granting Defendants' motion for summary judgment on the "customary in a host device" claim limitation.

18. The Opinion and Order dated July 1, 2013 (Docket Nos. 536, 537) granting Defendants' motion for summary judgment regarding the "Table 15 Devices."
19. The Opinion and Order dated October 4, 2013 (Docket Nos. 545, 546) granting Defendants' motion for summary judgment on the "simulating a virtual file" claim limitation.
20. The Opinion and Order dated October 8, 2013 (Docket Nos. 547, 548) granting Defendant Hewlett-Packard's motion for summary judgment.
21. The Opinion and Order dated October 23, 2013 (Docket Nos. 551, 552) granting Defendants' motion for summary judgment on the "second connecting device" claim limitation.
22. The Opinions and Order of Final Judgment dated November 14, 2013 (Docket Nos. 559, 560) to the extent that they are adverse to Papst.

Date: November 20, 2013

Respectfully submitted,

/s/ Alan M. Fisch

Alan M. Fisch (DC-453068)

alan.fisch@fischllp.com

R. William Sigler (DC-490957)

bill.sigler@fischllp.com

FISCH HOFFMAN SIGLER LLP

5335 Wisconsin Avenue, NW

Eighth Floor

Washington, DC 20015

Telephone: (202) 362-3500

Facsimile: (202) 362-3501

Attorneys for Papst Licensing GmbH & Co. KG.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed with the Clerk of the Court for the District of Columbia and served on all counsel of record via the CM/ECF system on November 20, 2013.

By: /s/ Alan M. Fisch
Alan M. Fisch