

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

FUJITSU LIMITED AND FUJITSU NETWORK  
COMMUNICATIONS, INC.,

PLAINTIFFS,

v.

TELLABS OPERATIONS, INC., TELLABS, INC., AND  
TELLABS NORTH AMERICA, INC.,

DEFENDANTS.

TELLABS OPERATIONS, INC., TELLABS, INC., AND  
TELLABS NORTH AMERICA, INC.,

COUNTERCLAIMANTS,

v.

FUJITSU LIMITED AND FUJITSU NETWORK  
COMMUNICATIONS, INC.,

COUNTERDEFENDANTS.

CIVIL ACTION NO. 1:12 CV 03229

COMPLAINT FILED APRIL 30, 2012

**JUDGE HOLDERMAN  
MAGISTRATE JUDGE COLE**

**JURY TRIAL DEMANDED**

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs Fujitsu Limited and Fujitsu Network Communications, Inc. (“Fujitsu”), pursuant to Federal Rule of Appellate Procedure 4, hereby appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on June 13, 2014 (Dkt. Nos. 202 and 208), granting non-infringement in favor of Defendants Tellabs, Inc., Tellabs Operations, Inc. and Tellabs North America, Inc. as to Claims 4 and 5 of Fujitsu's U.S. Patent No. 5,521,737, and all orders underlying the Judgment. The court expressly determined that there was no just reason for delay pursuant to F.R.C.P. 54(b). (Dkt. No. 208).

This Notice of Appeal is filed with payment of the \$500 fee required under 28 U.S.C. § 1913 and payment of the \$5 fee required under 28 U.S.C. § 1917 to the United States District Court for the Northern District of Illinois.

Dated: July 11, 2014

/s/ David C. Van Dyke

David C. Van Dyke

David C. Van Dyke (#6204705)  
Howard & Howard  
200 South Michigan Ave. Suite 1100  
Chicago IL 60604  
Telephone: (312) 456-3641  
Facsimile: (312) 939-5617  
Email: dvandyke@h2law.com

James C. Brooks  
Michael Owens  
Orrick, Herrington & Sutcliffe, LLP  
777 South Figueroa St. Suite 3200  
Los Angeles, CA 90017-5855  
Telephone: (213) 629-2020  
Facsimile: (213) 612-2499  
Email: jbrooks@orrick.com  
Email: mowens@orrick.com

Mark P. Wine  
Mark J. Shean  
Glen Liu

Orrick, Herrington & Sutcliffe, LLP  
2050 Main St. Suite 1100  
Irvine, CA 92614  
Telephone: (949) 567-6700  
Facsimile: (949) 567-6710  
Email: mwine@orrick.com  
Email: mshean@orrick.com  
Email: gliu@orrick.com

***Attorneys for* FUJITSU LIMITED and FUJITSU  
NETWORK COMMUNICATIONS, INC.**

### **CERTIFICATE OF SERVICE**

I hereby certify that on July 11, 2014, I provided service to the persons listed below by causing a true and correct copy of **FUJITSU'S NOTICE OF APPEAL** to be served on all counsel of record by the Court's CM/ECF System.

Dated: July 11, 2014

*s/ David C. Van Dyke*  
David C. Van Dyke (#6204705)  
Howard & Howard Attorneys PLLC  
200 South Michigan Ave. Suite 1100  
Chicago IL 60604  
Telephone: (312) 456-3641  
Facsimile: (312) 939-5617  
Email: dvd@h2law.com