

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ULTIMATEPOINTER, L.L.C.,

Plaintiff,

vs.

NINTENDO CO., LTD. and
NINTENDO OF AMERICA, INC.,

Defendants.

CIVIL ACTION NO. 2:14-cv-00865-RSL

**PLAINTIFF
ULTIMATEPOINTER, L.L.C.'S
NOTICE OF APPEAL**

Plaintiff UltimatePointer, L.L.C. ("UltimatePointer") hereby gives notice of its appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered December 24, 2014 (Doc. No. 602).

UltimatePointer further appeals all adverse rulings and orders underlying the Final Judgment on any evidentiary, substantive, and/or procedural matters, including, but not limited to, the District Court's Memorandum Opinion and Order regarding Claim Construction and granting in part Defendants' Motion for Summary Judgment of Indefiniteness Invalidity, entered May 28, 2013 (Doc. No. 268), the District Court's Order construing the term "special state," entered October 28, 2013 (Doc. No. 335), the District Court's Order granting Defendants' Motion for Summary Judgment of Non-Infringement, entered November 7, 2013 (Doc. No. 343), the District Court's Order regarding Plaintiff's Motion for Summary Judgment (which granted a

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2 judgment as a matter of law of indefiniteness invalidity for Defendants), entered December 22,
3 2014 (Doc. No. 595), the District Court's Order denying in part Plaintiff's Motions In Limine
4 (which addressed claim construction issues), entered December 22, 2014 (Doc. No. 597), and the
5 District Court's Order Granting Defendants' Motion for Summary Judgment of Non-
6 Infringement, entered December 22, 2014 (Doc. No. 598).

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8 Respectfully submitted this 23rd day of January, 2015.

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**ATTORNEYS FOR PLAINTIFF
ULTIMATEPOINTER, L.L.C.**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Plaintiff UltimatePointer L.L.C.'s Notice of Appeal* was filed electronically using the Court's CM/ECF system, and that the Notice of Electronic Filing constitutes service on all counsel who are registered participants in the ECF system.

s/ Charles J. Rogers
Charles J. Rogers