

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNILOC USA, INC., et al.,

Plaintiff,

v.

ELECTRONIC ARTS INC.,

Defendant.

CIVIL ACTION NO. 6:13-cv-00259-LED

NOTICE OF APPEAL

Notice is hereby given that Defendant Electronic Arts, Inc. hereby appeals to the U.S. Court of Appeals for the Federal Circuit from (i) the April 23, 2015 Order denying EA's Renewed Motion for Judgment as a Matter of Law or a New Trial and granting in part Plaintiffs' Motion for Prejudgment Interest, Post-Judgment Interest, and Costs (Dkt. 138); (ii) the Judgment entered April 24, 2015 (Dkt. 139); and (iii) any and all underlying and/or interlocutory decisions, orders, rulings, findings, instructions, opinions, and/or conclusions of the District Court relating to, pertinent to, or ancillary to that Order or Judgment.

EA has filed a Motion to Vacate Judgment and Stay Case (Dkt. 141), which requests that the District Court vacate the Judgment under Federal Rule of Civil Procedure 59 and/or 60. That Motion remains pending. Federal Rule of Appellate Procedure 4(a)(4)(A) provides that the time to file an appeal runs from the entry of the order disposing of a timely-filed motion under Rule 59 or 60. Although the time for EA to file its notice of appeal has not yet run, EA files this Notice of Appeal in an abundance of caution.

Federal Rule of Appellate Procedure 4(a)(4)(B) provides that "[i]f a party files a notice of appeal after the court announces or enters a judgment—but before it disposes of any motion

listed in Rule 4(a)(4)(A) [including Rule 59 and 60 motions]—the notice becomes effective to appeal a judgment or order, in whole or in part, when the order disposing of the last such remaining motion is entered.” In the event that the District Court issues an order denying EA’s Motion to Vacate Judgment, EA intends to file an amended notice of appeal that appeals from that order as well. *See* Fed. R. App. P. 4(a)(4)(B)(ii) and (iii).

DATED: May 22, 2015

Respectfully submitted,

By: /s/ Robert Van Nest, with permission by
Michael E. Jones

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 22, 2015.

/s/ Michael E. Jones