

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTELLECTUAL VENTURES I LLC,

Plaintiff,

v.

SYMANTEC CORP.,

Defendant.

C.A. No. 10-cv-1067-LPS

JURY TRIAL DEMANDED

PLAINTIFF INTELLECTUAL VENTURES I LLC'S
AMENDED NOTICE OF APPEAL

On April 22, 2015, this District Court granted-in-part Defendant's Motion for Judgment of Patent Invalidity Under 35 U.S.C. § 101. D.I. 726 and 727. Out of an abundance of caution, Plaintiff Intellectual Ventures I LLC filed a notice of appeal on May 20, 2015, within 30 days of the date of the District Court's April 22 ruling. D.I. 736. The purpose of the notice was to avoid any future dispute regarding the timeliness of the appeal.

On June 17, 2015, this District Court granted Symantec's Unopposed Motion to Certify for Immediate Appeal Under Rule 54(b) the April 22 Order. D.I. 745. In its June 17, 2015 Order, the Court stated that "final judgment is entered *nunc pro tunc* as of May 20, 2015 that the asserted claims of U.S. Patent Nos. 7,073,142 and 6,460,050 are invalid under 35 U.S.C. § 101 as not directed to patent eligible subject matter...." *Id.*

Plaintiff Intellectual Ventures I LLC respectfully submits this notice of its appeal to the United States Court of Appeals for the Federal Circuit.

Plaintiff appeals from the District Court's June 17, 2015 Judgment *nunc pro tunc*, which adopts the Court's April 22, 2015 Memorandum Opinion (D.I. 726) and April 22, 2015 Order

(D.I. 727) granting-in-part Defendant’s Motion for Judgment of Patent Invalidity Under 35 U.S.C. § 101 (D.I. 698) as a “final decision of this Court.” D.I. 745.

This notice of appeal is timely under Federal Rule of Appellate Procedure 4(a)(1)(A) because it is “filed with the district clerk within 30 days after entry of the judgment or order appealed from.”

Intellectual Ventures previously submitted the required filing fee of \$505 and respectfully requested the district clerk to prepare the record on appeal pursuant to Federal Rule of Appellate Procedure 10(a). D.I. 736. Likewise, Intellectual Ventures has already submitted the appropriate transcript request forms to the reporter, as required by Federal Rule of Appellate Procedure 10(b)(1)(A). D.I. 738.

Dated: June 18, 2015

Respectfully submitted,

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/s/ Brian E. Farnan

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