

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

TRUSTEES OF BOSTON UNIVERSITY,

Plaintiff,

v.

LITE-ON, INC., LITE-ON SERVICE USA,
INC., LITE-ON TECHNOLOGY
CORPORATION, and LITE-ON TRADING
USA, INC.,

Defendant.

Consolidated Civil Action No.
12-cv-11935-PBS

Civil Action No. 12-cv-12330-PBS

**DEFENDANTS LITE-ON, INC., LITE-ON SERVICE USA, INC., LITE-ON
TECHNOLOGY CORPORATION, and LITE-ON TRADING USA, INC.’S
NOTICE OF APPEAL**

NOTICE IS HEREBY GIVEN that Defendants Lite-On Inc., Lite-On Service USA, Inc., Lite-On Technology Corporation, and Lite-On Trading USA, Inc. (collectively “Lite-On”), in the above captioned matter hereby appeal to the United States Court of Appeals for the Federal Circuit from the Judgment entered on April 29, 2016 (Dkt. No. 119; Consol. Dkt. No. 1721)¹, and from any and all orders, rulings, findings, and/or conclusions of the Court adverse to Lite-On, including, without limitation: the Memorandum and Order Re: Construction of Disputed Claim Terms entered on May 20, 2014 (Dkt. No. 86; Consol. Dkt. No. 511); the Memorandum and Order re Motion for Summary Judgment of Non-Infringement entered on May 20, 2015 (Dkt. No. 111; Consol. Dkt. No. 1231); the Memorandum and Order re Motion for Summary Judgment of Invalidity entered on June 9, 2015 (Consol. Dkt. No. 1252); the Order re Bifurcation of Trial entered on October 19, 2015 (Consol. Dkt. No. 1476); the Order re Motions to Strike entered on

¹ Dkt No. refers to the number on the docket for the above-captioned matter, Civil Action No. 12-cv-12326-PBS; Consol. Dkt. No. refers to the number on the docket for the consolidated case bearing Consolidated Civil Action No. 12-cv-11935-PBS. Where there is only a docket number from the consolidated case, a corresponding entry does not appear to have been entered on the docket of the above-captioned matter.

October 20, 2015 (Consl. Dkt. No. 1482); the Orders re Motions in Limine entered on October 21, 2015 (Consl. Dkt. Nos. 1489, 1501, 1502, 1507); the Electronic Orders re Lite-On's Rule 50(a) motions entered on November 17, 2015 (Consl. Dkt. Nos. 1618, 1619, 1620); the Memorandum and Order re Lite-On's Rule 50(b) and Rule 59 motions entered on July 22, 2016 (Dkt. No. 120; Consl. Dkt. No. 1768); the Memorandum and Order re Attorneys' Fees and Costs entered on July 22, 2016 (Dkt. No. 122; Consl. Dkt. No. 1770); and the Final Judgment Against Lite-On, Inc., and Lite-On Technology Corporation entered on August 12, 2016 (Dkt. No. 128).

Dated: August 16, 2016

Respectfully submitted,

/s/ Susan G. L. Glovsky
Richard C. Vasquez (*pro hac vice*)
CA State Bar No. 127228
VASQUEZ BENISEK & LINDGREN LLP
3685 Mt. Diablo Boulevard, Suite 300
Lafayette, CA 94549
925-627-4250-Phone
925-403-0900-Fax
Email: rvasquez@vblaw.com

Susan G. L. Glovsky (BBO# 195880)
Lawrence P. Cogswell III, Ph.D. (BBO# 664386)
Hamilton Brook Smith Reynolds
155 Seaport Blvd.
Boston, MA 02210
Tel: (617)-607-5900
Fax: (978) 341-0136
susan.glovsky@hbsr.com
lawrence.cogswell@hbsr.com

Counsel for Defendants Lite-On Inc., Lite-On Service USA, Inc., Lite-On Technology Corporation, and Lite-On Trading USA, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2016, the foregoing was electronically filed using the Court's CM/ECF system, which will automatically send email notification of such filing to all attorneys of record, and that papers will be sent to those indicated as non-registered participants.

/s/ Susan G. L. Glovsky
Susan G. L. Glovsky