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8 Attorneys for Plaintiff  
9 POWER INTEGRATIONS, INC.

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 (SAN FRANCISCO DIVISION)

13 POWER INTEGRATIONS, INC.,  
14 a Delaware corporation,

15 Plaintiff,

16 v.

17 FAIRCHILD SEMICONDUCTOR  
18 INTERNATIONAL, INC., a Delaware  
corporation, FAIRCHILD SEMICONDUCTOR  
19 CORPORATION, a Delaware corporation, and  
SYSTEM GENERAL CORPORATION,  
20 a Taiwanese corporation,

21 Defendants.

Case No. 09-cv-05235-MMC (MEJ)

**NOTICE OF CROSS-APPEAL**

1 Plaintiff Power Integrations, Inc. (“Power Integrations” or “PI”) files this notice of cross  
2 appeal in response to Fairchild’s notice of appeal [Dkt. No. 992].

3 PI agrees with Fairchild that its notice of appeal is premature and that it does not divest the  
4 district court of jurisdiction. *See Stevenson v. Grentec, Inc.*, 652 F.2d 20, 22 (9th Cir. 1981)  
5 (“Although the trial court granted defendant’s motion for summary judgment in an opinion and  
6 order dated October 26, 1979, judgment was not entered until November 30, 1979. On November  
7 26, 1979 Stevenson filed his notice of appeal with the district court. Appellant’s premature filing  
8 does not divest this court of jurisdiction. We have held on several occasions that premature notices  
9 will be regarded as taken from the subsequently filed final order.”).

10 Nonetheless, given the wording of the rules governing the deadline for notices of cross-  
11 appeal, Fed. R. App. 4(a)(d), PI files this notice out of caution. Like Fairchild’s notice of appeal, PI  
12 believes that its notice of cross-appeal is premature and does not divest the district court of  
13 jurisdiction.

14 Pursuant to the Federal Rules of Civil Procedure and the Federal Rules of Appellate  
15 Procedure, Power Integrations hereby appeals to the United States Court of Appeals for the Federal  
16 Circuit from any judgment, and any and all orders, decisions, and rulings that are adverse to PI in  
17 whole or part (whether merged into such judgment or otherwise), including but not limited to the  
18 following:

- 19 • The Court’s August 24, 2016 Order Denying Defendants’ Renewed Motion For  
20 Judgment As A Matter of Law, New Trial And/Or Remittitur; Granting In Part And  
21 Denying In Part Plaintiff’s Motion for Prejudgment Interest [Dkt. No. 986];
  - 22 • The December 17, 2015 jury verdict [Dkt. No. 918] and the accompanying  
23 December 18, 2015 Judgment In A Civil Case entered on that verdict [Dkt. No. 922];
  - 24 • The Court’s October 8, 2015 Order Re: Motions To Exclude Expert Testimony [Dkt.  
25 No. 747];
  - 26 • The Court’s February 12, 2015 Order Denying Motion For Permanent Injunction  
27 [Dkt. No. 687];
- 28

- The Court's November 25, 2014 Order Granting In Part And Denying In Part Fairchild's Renewed Motion For Reconsideration On Damages Issues [Dkt. No. 666];
- The Court's September 9, 2014 Order Re: Post-Trial Motions [Dkt. No. 632], including but not limited to the Court's grant of Fairchild's motion for JMOL regarding Fairchild's willful infringement;
- The March 4, 2014 jury verdict [Dkt. No. 551];
- The Court's November 26, 2013 Order Granting In Part And Denying In Part Fairchild's Motion For Summary Judgment [Dkt. No. 350];
- The Court's November 26, 2013 Order Granting In Part And Denying In Part Power Integrations' Motion For Summary Judgment [Dkt. No. 349];
- The Court's May 6, 2013, May 9, 2012, August 30, 2011, and July 13, 2011 Claim Construction Orders [Dkt. Nos. 215, 212, 148, 132, 128, and 121];
- Any other rulings, judgments, or orders adverse to PI, including rulings on evidentiary matters, jury instructions, and the verdict form before or during trial which may have now merged into the Court's September 9, 2014 Order [Dkt. No. 632], the Court's August 24, 2016 Order [Dkt. No. 986], and the December 18, 2015 Judgment In A Civil Case [Dkt. No. 922].

Dated: October 4, 2016

FISH & RICHARDSON P.C.

By: /s/Michael R. Headley  
Michael R. Headley

Attorneys for Plaintiff  
POWER INTEGRATIONS