

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

<p>United Access Technologies, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>CenturyTel Broadband Services, LLC and Qwest Corporation,</p> <p style="text-align: center;">Defendants.</p>

Civil Action No. 1:11-cv-00339-LPS

<p>United Access Technologies, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>AT&T Inc. <i>et al.</i>,</p> <p style="text-align: center;">Defendants.</p>
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Civil Action No. 1:11-cv-00338-LPS

<p>United Access Technologies, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>Frontier Communications Corporation,</p> <p style="text-align: center;">Defendant.</p>

Civil Action No. 1:11-cv-00341-LPS

DEFENDANTS’ JOINT NOTICE OF CONDITIONAL CROSS-APPEAL

Notice is hereby given that CenturyTel Broadband Services, LLC and Qwest Corporation, AT&T Corp., AT&T Services Inc., SBC Internet Services Inc., and Frontier Communications Corporation, defendants in the above-captioned cases, conditionally cross-appeal from the judgment to the United States Court of Appeals for the Federal Circuit Court.

The district court granted summary judgments of non-infringement for Defendants in the above-captioned actions on August 22, 2017 (Dkt. Nos. 202 [CenturyTel case]; 136 [AT&T case]; 197 [Frontier case]) and entered final judgments in each action on August 29, 2017 (Dkt. Nos. 204 [CenturyTel case]; 138 [AT&T case]; 199 [Frontier case]). Plaintiff United Access Technologies LLC has appealed from those judgments. Defendants file this conditional cross-appeal from all orders entered adversely to Defendants relating to Defendants' defenses that the patents-in-suit are indefinite, including the Court's Order on claim construction (Dkt. Nos. 178–79 [CenturyTel case]; 105–06 [AT&T case]; 171–72 [Frontier case]), in order to preserve their rights in the event the Federal Circuit or the Supreme Court of the United States were to grant Plaintiff any relief with respect to the judgments.

The fee for filing a notice of cross-appeal is being submitted concurrently with the Joint Notice of Conditional Cross-Appeal.

Dated: October 10, 2017

Respectfully submitted,

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