

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

In Re: Mobile Telecommunications)
Technologies, LLC,)
)
This Document Applies To:) 16-md-02722-LPS-CJB
)
Mobile Telecommunications Technologies,)
LLC v. Brocade Communications Systems, Inc.)
)
(Case Number: 16-697-LPS))

**NOTICE OF CONDITIONAL CROSS-APPEAL TO THE UNITED STATES
COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given that Brocade Communications LLC, formerly Brocade Communications Inc., defendant in the above-captioned case, conditionally cross-appeals from the judgment to the United States Court of Appeals for the Federal Circuit.

The district court entered final judgment in this action on November 3, 2017 (Case No. 16-md-00697-LPS, D.I. 113). Plaintiff Mobile Telecommunications Technologies, LLC appealed from this judgment on December 4, 2017 (*Id.*, D.I. 114). Defendant files this conditional cross-appeal from all orders entered adversely to Defendant relating to Defendant's proposed claim constructions, including but not limited to this Court's Memorandum Opinion (Case No. 16-md-02722-LPS-CJB, D.I. 526) and Order (*Id.*, D.I. 527), in order to preserve its 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 judgment.

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

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Korula T. Cherian
RUYAKCHERIAN, LLP
1936 University Avenue, Suite 350
Berkeley, CA 94704
(510) 944-0190

Ronald Wielkopolski
RUYAKCHERIAN, LLP
1776 Eye Street, NW, Suite 750
Washington, DC 20006
(202) 838-1560

Dated: December 18, 2017
5590176

By: /s/ Philip A. Rovner
Philip A. Rovner (#3215)
Jonathan A. Choa (#5319)
Hercules Plaza
P.O. Box 951
Wilmington, DE 19899
(302) 984-6000
provner@potteranderson.com
jchoa@potteranderson.com

*Attorneys for Defendant
Brocade Communications LLC, formerly
Brocade Communications Inc.*