

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DATATERN, INC.,

Plaintiff,

v.

MICROSTRATEGY INC. et al.,

Defendants.

Civil Action Nos.

11-cv-11970-FDS (Lead)

11-cv-12220-FDS (Consolidated)

MICROSTRATEGY INC.'S NOTICE OF APPEAL

Notice is hereby given that MicroStrategy Inc., Defendant in the above captioned matters, hereby appeals to the United States Court of Appeals for the Federal Circuit from the Court's Order on Defendants' Applications for Attorneys' Fees, ECF No. 335.

Dated: January 2, 2019

Respectfully submitted,

By: /s/ Adam J. Kessel

Adam J. Kessel (BBO #661,211)

kessel@fr.com

Proshanto Mukherji (BBO #675,801)

mukherji@fr.com

Daniel S. Sternberg (BBO #688,842)

sternberg@fr.com

Kenton W. Freeman, Jr. (BBO #690,911)

kwf@fr.com

James N. Sebel (BBO #693,531)

sebel@fr.com

Fish & Richardson, P.C.

ONE Marina Park Drive

Boston, MA 02110-1878

617-542-5070

617-542-8906 (fax)

Benjamin K. Thompson

(*admitted pro hac vice*)

bthompson@fr.com

Fish & Richardson, P.C.

1180 Peachtree St. NE

Atlanta, GA 30318

404-724-2844

Attorneys for Defendant
MICROSTRATEGY INC.

CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing system on January 2, 2019, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ Adam J. Kessel

Adam J. Kessel