

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DATATERN, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	
BLAZENT, INC., MICROSTRATEGY,)	Civil Action Nos.
INC., CARL WARREN AND COMPANY,)	11-cv-11970-FDS (Lead)
INCORPORATED, LANCET SOFTWARE)	11-cv-12220-FDS (Consolidated)
DEVELOPMENT, INC., AIRLINES)	
REPORTING CORP., MAGIC)	
SOFTWARE ENTERPRISES LTD.,)	
MAGIC SOFTWARE ENTERPRISES,)	
INC., TERADATA CORPORATION,)	
EPICOR SOFTWARE CORPORATION,)	
and PREMIER INC.,)	
)	
Defendants.)	

NOTICE OF APPEAL

Notice is hereby given that DataTern, Inc., Plaintiff in the above-captioned matters, hereby appeals to the United States Court of Appeals for the Federal Circuit from the (a) Order on Defendants’ Motions for an Exceptional Case Determination and Attorneys’ Fees and (b) Memorandum and Order on Defendants’ Applications for Attorneys’ Fees, including, *inter alia*, (1) the conclusion that DataTern engaged in conduct that was exceptional pursuant to 35 U.S.C. § 285, and (2) the award of attorneys’ fees against DataTern arising from its conduct after the District Court issued its claim construction ruling.

Respectfully submitted, this 2nd day of January 2019.

/s/Scott J. Nathan/

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CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing systems on January 2, 2019, which serves counsel for the other parties in this case, all of whom are identified as registered participants on the Notice of Electronic Filing.

/s/Scott J. Nathan

Scott J. Nathan