

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>TRAXCELL TECHNOLOGIES, LLC.,</b>  <b>Plaintiff,</b>  <b>v.</b>  <b>AT&amp;T, INC., AT&amp;T CORPORATION, AND AT&amp;T MOBILITY LLC,</b>  <b>Defendants.</b>	          <b>Civil Action No. 2:17-cv-00718-RWS-RSP</b>  <b>JURY TRIAL DEMANDED</b>  <b>LEAD CASE</b>
<b>v.</b>  <b>VERIZON COMMUNICATIONS, INC. AND VERIZON WIRELESS PERSONAL COMMUNICATIONS, LP,</b>  <b>Defendants.</b>	          <b>Civil Action No. 2:17-cv-00721-RWS-RSP</b>  <b>JURY TRIAL DEMANDED</b>  <b>CONSOLIDATED CASE</b>

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiff Traxcell Technologies, LLC (“Traxcell”), in the above-named lead and consolidated case, hereby appeals to the United States Court of Appeals for the Federal Circuit from:

- the Final Judgment entered on April 15, 2020 (Doc. No. 472 filed in 2:17-cv-00718 pending in Eastern District of Texas);
- the separate Final Judgment entered in this action<sup>1</sup> on April 15, 2020 (Doc. No. 24 filed in 2:17-cv-00721 pending in Eastern District of Texas);
- the ORDER overruling Plaintiff’s Objections dated April 15, 2020 (Doc. No. 471

<sup>1</sup> This action is *Traxcell Technologies, LLC v. Verizon Communications, Inc. and Verizon Wireless Personal Communications, LP* (2:17-cv-0721) consolidated under 2:17-cv-00718.

filed in 2:17-cv-00718 pending in Eastern District of Texas);<sup>2</sup>

- The ORDER overruling Plaintiff's Objections to the Claim Construction Memorandum and Order (Doc. No. 451 filed in 2:17-cv-00718 pending in Eastern District of Texas);<sup>3</sup>
- the Report and Recommendation signed October 7, 2019 (Doc. No. 444 filed in 2:17-cv-00718 pending in Eastern District of Texas) granting Defendants' Motion for Summary Judgment of Non-Infringement as to the '388 Patent;<sup>4</sup>
- the Report and Recommendation signed September 18, 2019 (Doc. No. 399 filed in 2:17-cv-00718 pending in Eastern District of Texas) granting Defendants' Motion for Summary Judgment of Non-Infringement of all asserted claims of the '024 patent;<sup>5</sup>
- The ORDER denying Plaintiff's Emergency Motion to Strike (Doc. No. 325 filed in 2:17-cv-00718 pending in the Eastern District of Texas);<sup>6</sup>
- The ORDER denying Plaintiff's Motion to Compel Verizon to produce Documents and witness dated October 30, 2019 and Motion to Serve Doctrine of Equivalents Supplemental Infringement Contentions (Doc. No. 254 filed in 2:17-cv-00718 pending in Eastern District of Texas);<sup>7</sup>
- The ORDER denying leave to file an amended complaint against Verizon Personal

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<sup>2</sup> Overruling Objections filed as Doc No. 431 and Doc. No. 459 to Orders of Doc. No. 399 and Doc. No. 444.

<sup>3</sup> Plaintiff's objections were filed as Doc. No. 246-2, accompanying its Motion for Leave to File objections (Doc. No. 246).

<sup>4</sup> Verizon's Motion for Summary Judgment for the '388 patent is Doc. No. 293. Plaintiff's objections to the Report & Recommendation are filed as Doc. No. 459.

<sup>5</sup> Verizon's Motion for Summary Judgment for the '024 patent is Doc. No. 305. Plaintiff's objections to the Report & Recommendation are filed as Doc. No. 431.

<sup>6</sup> Plaintiff's Emergency Motion to Strike is Doc. No. 239. Plaintiff's objections are Doc. No. 454.

<sup>7</sup> Plaintiff's Amended Motion to Compel Verizon is Doc. No. 195. Plaintiff's Motion to Serve Doctrine of Equivalents Supplemental Infringement Contentions is filed as Doc. No. 210. Traxcell's objections to the ORDERS are filed as Doc. No. 272.

Communications, LP (collectively “Verizon”) dated June 19, 2019 (Doc. No. 209 filed in 2:17-cv-00718 pending in Eastern District of Texas);<sup>8</sup> and,

- The claim construction Order dated April 15, 2019 (Doc. No. 171 filed in 2:17-cv-00718 pending in the Eastern District of Texas), issued from this Court in the Eastern District of Texas, Marshall Division.

The appropriate fees for this Notice of Appeal are paid currently.

Respectfully submitted,

Ramey & Schwaller, LLP

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**Attorneys for Traxcell Technologies, LLC.**

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<sup>8</sup> Motion for Leave filed as Doc. No. 186.

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served on the following counsel through the Court's ECF system on May 1, 2020. Additionally, four (4) copies of this Notice of Appeal have been filed with the Court.

/s/ William P. Ramey, III  
William P. Ramey, III