IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

CLICK-TO-CALL TECHNOLOGIES LP,

Plaintiff,

v.

INGENIO, INC.; THRYV, INC.; ETHER, a division of INGENIO, INC.; and INGENIO, INC., d/b/a/ KEEN,

Civil Action No. 1:12-cv-00465-LY

JURY TRIAL DEMANDED

Defendants.

PLAINTIFF CLICK-TO-CALL TECHNOLOGIES LP'S NOTICE OF APPEAL

Plaintiff Click-to-Call Technologies LP respectfully submits this notice of its appeal to the United States Court of Appeals for the Federal Circuit from this Court's Final Judgment on September 2, 2021 (ECF No. 227) and this Court's August 30, 2021 Order (ECF No. 224) in which this Court affirmed and adopted the Magistrate Judge's August 4, 2021 Report and Recommendation (ECF No. 217) and granted Defendants' motion for summary judgment (ECF No. 194).

As part of this notice of appeal, Plaintiff submits the required filing fee and respectfully requests the district clerk to prepare the record on appeal pursuant to Federal Rule of Appellate Procedure 10(a). Plaintiff will order from the reporter a transcript of such parts of the proceedings not already on file as the appellant considers necessary, as required by Federal Rule of Appellate Procedure 10(b)(1)(A).

DATED: October 1, 2021

Respectfully submitted,

By: /s/ Brian D. Melton

Brian D. Melton State Bar No. 24010620 bmelton@susmangodfrey.com SUSMAN GODFREY L.L.P. 1000 Louisiana Street, Suite 5100 Houston, Texas 77002 Telephone: (713) 651-9366 Facsimile: (713) 654-6666

LEAD ATTORNEY FOR PLAINTIFF CLICK-TO-CALL TECHNOLOGIES LP

Max L. Tribble Jr. State Bar No. 20213950 mtribble@susmangodfrey.com Ibituroko-Emi Lawson State Bar No. 24113443 elawson@susmangodfrey.com SUSMAN GODFREY L.L.P. 1000 Louisiana Street, Suite 5100 Houston, Texas 77002 Telephone: (713) 651-9366 Facsimile: (713) 654-6666

Daniel J. Shih
Washington State Bar No. 37999
Admitted *pro hac vice*dshih@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1201 Third Avenue, Suite 3800
Seattle, Washington 98101
Telephone: (206) 516-3880
Facsimile: (206) 516-3883

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2021, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system.

<u>/s/ Ibituroko-Emi Lawson</u> Ibituroko-Emi Lawson