

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

NEXSTEP, INC., a Delaware Corporation,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	C.A. No. 19-1031-RGA-SRF
COMCAST CABLE COMMUNICATIONS,	)	
LLC, a Delaware Limited Liability Company,	)	
	)	
Defendant.	)	

**NEXSTEP, INC.’S SUPPLEMENTAL NOTICE OF APPEAL**

On May 12, 2022, the Court issued a Memorandum Opinion (D.I. 370) and Order (D.I. 371) on the parties’ Renewed Motions for Judgment as a Matter and Defendant Comcast Cable Communications, LLC’s (“Comcast”) Post-Judgment Motion, which constituted a final judgment. Plaintiff NexStep, Inc. (“NexStep”) filed a Notice of Appeal on May 17, 2022 (D.I. 372). NexStep’s appeal has been docketed by the United States Court of Appeals for the Federal Circuit as *NexStep, Inc. v. Comcast Cable Communications, LLC*, 22-1815 (Fed. Cir.).

Comcast subsequently asserted that the Court’s Memorandum Opinion and Order did not constitute a final judgment. While NexStep disagreed, to moot Comcast’s assertion, NexStep joined Comcast in submitting to the Court a proposed Final Judgment incorporating the Court’s prior rulings (D.I. 374). The Court issued the Final Judgment on July 7, 2022 (D.I. 376). Out of an abundance of caution, NexStep hereby submits this Supplemental Notice of Appeal.

NOTICE IS HEREBY GIVEN, that NexStep appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment in the above-captioned case, dated July 7, 2022 (D.I. 376), and also appeals all prior orders, judgments, and rulings entered in this action leading

to, underlying, subsumed within, or subsequent to the Final Judgment, including but not limited to the following orders:

- the order regarding Renewed Motions for Judgment as a Matter of Law (D.I. 370, 371);
- the claim construction orders (D.I. 113, 261);
- the order regarding Motions for Summary Judgment and to Exclude Expert Opinions (D.I. 267, 368, 369);
- the Letter to Counsel regarding Motion to Strike New Damages Theories (D.I. 363);
- the orders regarding Motions to Exclude Expert Opinions (D.I. 313, 314, 364, 365);
- the order after Pretrial Conference (D.I. 291);
- the rulings made adversely to NexStep during trial;
- the rulings made adversely to NexStep during the jury charge conference; and
- the trial verdict (D.I. 331, 341, 343).

NexStep's Notice of Appeal covers all oral and written rulings, including all related hearing transcripts, and all related oral and written arguments.

OF COUNSEL:

Paul J. Andre  
Lisa Kobialka  
James Hannah  
KRAMER LEVIN NAFTALIS  
& FRANKEL LLP  
990 Marsh Road  
Menlo Park, CA 94025  
(650) 752-1700

Jonathan S. Caplan  
Aaron M. Frankel  
Marcus A. Colucci  
KRAMER LEVIN NAFTALIS  
& FRANKEL LLP  
1177 Avenue of the Americas  
New York, NY 10036  
(212) 715-9100

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POTTER ANDERSON & CORROON LLP

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 Plaintiff*  
*NexStep, Inc.*