

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PACKET INTELLIGENCE LLC,

*Plaintiff,*

v.

NETSCOUT SYSTEMS, INC.,  
TEKTRONIX COMMUNICATIONS,  
TEKTRONIX TEXAS, LLC,

*Defendants.*

CIVIL ACTION NO. 2:16-cv-00230-JRG

**DEFENDANTS' NOTICE OF APPEAL**

Notice is given that Defendants NetScout Systems, Inc. and NetScout Systems Texas, LLC (formerly known as Tektronix Texas, LLC d/b/a Tektronix Communications) (collectively, "Defendants") hereby appeal to the United States Court of Appeals for the Federal Circuit from the memorandum opinion and order, entered on June 22, 2022 (Dkt. No. 411), denying Defendants' motion under Federal Rule of Civil Procedure 59(e) to alter or amend the amended final judgment, the memorandum opinion and amended final judgment, entered on May 4, 2022 (Dkt. Nos. 396 and 397), and from all other orders, rulings, findings, and/or conclusions of any kind whatsoever appealable and decided adversely to NetScout.

Included is a payment of the \$5 filing fee required by 28 U.S.C. § 1917 and the \$500 docketing fee required by Federal Circuit Rule 52(a)(3), paid to the District Court pursuant to Federal Rule of Appellate Procedure 3(e) and Federal Circuit Rule 52(a)(2).

Dated: July 20, 2022

By: /s/ Michael J. Lyons

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Attorneys for Defendants

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this July 20, 2022.

*/s/ Michael J. Lyons* \_\_\_\_\_

Michael J. Lyons