

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

CARBONITE, INC.,

Defendants.

C.A. No. 1:17-cv-12499-IT

PLAINTIFF'S NOTICE OF APPEAL

Notice is hereby given that Plaintiff Realtime Data, LLC hereby appeals to the United States Court of Appeals for the Federal Circuit from: (1) the Order on Claim Construction dated December 21, 2021 (Case No. C.A. 1:17-cv-11279-IT, Dkt. No. 128); (2) the electronic Order granting Carbonite, Inc.'s oral motion for entry of judgement (Dkt. No. 126); (3) the Judgement entered on October 27, 2022, and from all other rulings adverse to Plaintiff entered in this action.

Dated: November 22, 2022

Respectfully submitted,

By: /s/ Paul A. Kroeger

Marc A. Fenster (CA SBN 181067)

Email: mfenster@raklaw.com

Brian D. Ledahl (CA SBN 186579)

Email: bledahl@raklaw.com

Reza Mirzaie (CA SBN 246953)

Email: rmirzaie@raklaw.com

Paul Kroeger (CA SBN 229074)

Email: pkroeger@raklaw.com

Philip X. Wang (CA SBN 262239)

Email: pwang@raklaw.com

RUSS AUGUST & KABAT

12424 Wilshire Boulevard, 12th Floor

Los Angeles, CA 90025

Telephone: 310/826-7474

Facsimile 310/826-6991

Attorneys for Plaintiff

REALTIME DATA LLC d/b/a IXO

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on all counsel of record via electronic service on November 22, 2022.

/s/ Paul Kroeger