

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

SUNOCO PARTNERS MARKETING &
TERMINALS L.P.,

Plaintiff,

V.

POWDER SPRINGS LOGISTICS, LLC,
AND MAGELLAN MIDSTREAM
PARTNERS, L.P.,

Defendants.

Civil Action No. 17-1390-RGA

JURY TRIAL REQUESTED

PLAINTIFF SUNOCO'S NOTICE OF APPEAL

NOTICE is hereby given that Plaintiff Sunoco Partners Marketing & Terminals L.P. (“Sunoco”) hereby appeals to the United States Court of Appeals for the Federal Circuit from this Court’s Judgment entered on October 24, 2022 (D.I. 863), together with all adverse subsidiary rulings, orders and decisions underlying that Judgment, including but not limited to, the Court’s Order on claim construction for the claim terms “blending unit” and “gasoline” (D.I. 539); the Court’s Order on summary judgment ruling that claims 23, 24, 27, and 30 of U.S. Patent No. 6,679,302 are invalid under 35 U.S.C. § 101 (D.I. 523); the Court’s Order on the motion to exclude the expert reports of Dr. Ugone on damages (D.I. 547); the Court’s decisions on the proposed jury instructions related to lost profits and damages (D.I. 745, 767, 787-1); the Court’s decisions to strike and/or exclude certain evidence related to damages during trial (e.g., Trial Tr., 1323:12–16, 1327:4–14, 1464:16–1465:23); the Court’s Order granting Judgment as a Matter of Law of Non-Infringement for claims 16 and 17 of U.S. Patent No. 6,679,302 and claims 18 and 22 of U.S. Patent No. 7,032,629 (D.I. 853); and the Court’s Order on Enhanced Damages (D.I. 855).

Dated: November 23, 2022

/s/ John C. Phillips, Jr.
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