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

TQ DELTA, LLC, Plaintiff, v.	\$ \$ \$ \$	JURY TRIAL DEMANDED
COMMSCOPE HOLDING COMPANY, INC., COMMSCOPE INC., ARRIS US HOLDINGS, INC., ARRIS SOLUTIONS, INC., ARRIS TECHNOLOGY, INC., and ARRIS ENTERPRISES, LLC, Defendants.		Civil Action 2:21-cv-310-JRG

## PLAINTIFF TQ DELTA, LLC'S NOTICE OF APPEAL

Notice is hereby given that Plaintiff, TQ Delta, LLC, hereby appeals to the United States Court of Appeals for the Federal Circuit.

Plaintiff appeals the Final Judgment, entered on May 3, 2023 (Dkt. 513), and all orders, rulings, findings, and/or conclusions of any kind whatsoever decided adversely to TQ Delta in this case, including but not limited to, the Court's orders denying Plaintiff's Motion for Judgment as a Matter of Law and for a New Trial, entered on August 25, 2023 (Dkt. 566); the Court's Sealed Order denying Plaintiff's Motions for a New Trial, entered on September 6, 2023 (Dkt. 567; jointly redacted public version at Dkt. 568); the Court's Sealed Order denying Plaintiff's Renewed Motion for Judgment as a Matter of Law, entered on February 15, 2024 (Dkt. 570; jointly redacted public version at Dkt. 572); the Court's Order on Pretrial Motions and Motions *in Limine*, entered on March 9, 2023 (Dkt. 496), the Court's Claim Construction Memorandum and Order, entered on June 8, 2022 (Dkt. 169); and all other orders, rulings, findings, and/or decisions decided adversely

to TQ Delta, whether oral or written, interlocutory thereto, incorporated within, or underlying

them, whether pretrial or during trial.

As such, pursuant to Federal Rules of Appellate Procedure 3 and 4(a)(1)(A), Plaintiff

appeals from the Final Judgment (Dkt. 513) to challenge all orders, rulings, findings, and/or

conclusions of any kind whatsoever decided adversely to TQ Delta, including the Court's order

denying Plaintiff's Motions for Judgment as a Matter of Law and for a New Trial, the Court's

order denying Plaintiff's Motions for a New Trial, the Court's Order on Pretrial Motions and

Motions in Limine, the Court's Claim Construction Memorandum and Order, the Court's order

denying Plaintiff's Renewed Motion for Judgment as a Matter of Law, and all other orders, rulings,

findings, and/or decisions decided adversely to TQ Delta, whether oral or written, interlocutory

thereto, incorporated within, or underlying them, whether pretrial or during trial.

This appeal is made pursuant to 28 U.S.C. §§1291 & 1295(a)(1).

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$600.00) as

required by 28 U.S.C. § 1917, Federal Circuit Rule 52(a)(2), Federal Rule of Appellate Procedure

3(e), and the U.S. District Court for the Eastern District of Texas fee schedule.

Dated: March 15, 2024

Respectfully submitted,

By:

/s/ Peter J. McAndrews

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# ATTORNEYS FOR PLAINTIFF TQ DELTA, LLC

**CERTIFICATE OF SERVICE** 

The undersigned certifies that the foregoing document is being filed electronically in

compliance with Local Rule CV-5(a). As such, this document is being served this March 15, 2024,

on all counsel of record, each of whom is deemed to have consented to electronic service. L.R.

CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e),

any counsel of record not deemed to have consented to electronic service will be served with a true

and correct copy of the foregoing by email on this 15th day of March, 2024.

/s/ Peter J. McAndrews

Peter J. McAndrews