

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

**CONSTELLATION DESIGNS,
LLC,**

Plaintiff,

v.

**LG ELECTRONICS INC., LG
ELECTRONICS U.S.A., INC., AND
LG ELECTRONICS ALABAMA,
INC.,**

Defendants.

Civil Action No. 2:21-cv-448-JRG

Electronically Filed

**DEFENDANTS LG ELECTRONICS INC., LG ELECTRONICS U.S.A.,
INC., AND LG ELECTRONICS ALABAMA, INC.'S
NOTICE OF APPEAL**

Notice is hereby given that Defendants LG Electronics Inc., LG Electronics U.S.A. Inc., and LG Electronics Alabama, Inc. (collectively “LG”) hereby appeal to the United States Court of Appeals for the Federal Circuit from the above-captioned matter.

Following a jury trial held on July 5-7, 10-11, 2023, the jury returned a verdict in favor of Plaintiff Constellation Designs, LLC, including on issues relating to infringement, invalidity, willfulness, and damages, on July 11, 2023. [Dkt. Nos. 273-280.] On August 23, 2023, the Court entered a Final Judgment. [Dkt. No. 303.] On September 19, 2023, the parties filed various post-trial motions. [Dkt. Nos. 310-316.] LG’s post-trial motions included (i) a motion for judgment as a matter of law of no damages, [Dkt. No. 310]; (ii) a motion for a new trial under Rule 59 [Dkt. No. 312]; (iii) a motion for judgment as a matter of law of no willfulness [Dkt. No. 313]; and (iv) a motion for judgment as a matter of law of no liability [Dkt. No. 314].

On April 23 and April 24, 2024, the Court issued various orders resolving the pending post-trial motions. [Dkt. Nos. 364-367, 369-370.] On April 26, 2024, the Court entered an Amended Final Judgment. [Dkt. No. 371.]

In view of the foregoing, LG appeals from any and all decisions, orders, rulings, findings, and/or conclusions adverse to LG, including all such decisions, orders, rulings, findings, and/or conclusions that are intertwined with, related to, or resulted in this appeal. These decisions, orders, rulings, findings, and/or conclusions

include but are not limited to:

- June 8, 2022 Order [Dkt. No. 48] denying LG's Motion to Strike Constellation Designs' Infringement Contentions [Dkt. No. 42];
- January 18, 2023 Order [Dkt. No. 80] granting Constellation Designs' Motion to Compel LG's Response to Interrogatory No. 23 [Dkt. No. 69];
- February 28, 2023 Claim Construction Order [Dkt. No. 99];
- June 8, 2023 Joint Final Pretrial Order [Dkt. No. 242] and any supplements thereto;
- June 15, 2023 rulings and orders made on the record during the first day of the final pre-trial conference and motion hearing [Dkt. Nos. 257, 258];
- June 22, 2023 rulings and orders made on the record during the second day of the final pre-trial conference and motion hearing [Dkt. Nos. 262, 263];
- June 22, 2023 Order Regarding Exhibits [Dkt. No. 259];
- June 27, 2023 Memorandum Opinion & Order [Dkt. No. 267] regarding the parties' pre-trial motions and motions *in limine* [Dkt. Nos. 127-137, 200-201, and 241];
- The Court's other pre-trial evidentiary rulings;
- The Court's evidentiary rulings during trial [*see, e.g.*, Dkt. Nos. 273-276, 280, 289-294];
- The Court's other rulings during trial [*see, e.g.*, Dkt. Nos. 273-276, 280, 289-294];
- Final Jury Instructions, as read on the record during trial;
- July 11, 2023 Jury Verdict [Dkt. Nos. 277-278];
- July 14, 2023 and July 31, 2023 Exhibit Lists [Dkt. Nos. 287-288, 295];
- August 23, 2023 Final Judgment [Dkt. No. 303];
- April 23, 2024 Memorandum Opinion and Order [Dkt. No. 364] denying LG's motion for judgment as a matter of law of no damages [Dkt. No. 310];

- April 23, 2024 Memorandum Opinion and Order [Dkt. No. 365] denying LG's motion for judgment as a matter of law of no willfulness [Dkt. No. 313];
- April 23, 2024 Memorandum Opinion and Order [Dkt. No. 366] denying LG's motion for judgment as a matter of law of no liability [Dkt. No. 314];
- April 24, 2024 Order [Dkt. No. 367] on the Bill of Costs [Dkt. No. 311];
- The Clerk's Bill of Costs [Dkt. No. 368];
- April 24, 2024 Memorandum Opinion and Order [Dkt. No. 369] denying LG's motion for a new trial under Rule 59 [Dkt. No. 312]; and
- April 26, 2024 Amended Final Judgment [Dkt. No. 371], including all included rulings (such as the award of an ongoing royalty).

Date: May 15, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on May 15, 2024 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Michael J. McKeon _____

Michael J. McKeon