UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION

FINISAR CORPORATION,) Civil Action No. 1:05-CV-0264 (Clark, J.)
Plaintiff,))
v.))
THE DIRECTV GROUP, INC.; DIRECTV HOLDINGS, LLC; DIRECTV ENTERPRISES, LLC; DIRECTV OPERATIONS, LLC; DIRECTV, INC.; and HUGHES NETWORK SYSTEMS, INC.,)))))
Defendants.	,)))

NOTICE OF APPEAL

Notice is hereby given that all defendants in the above-named case hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in this action on July 7, 2006, and the Order entered in this action on September 5, 2006, denying defendants' post-judgment motions for judgment as a matter of law and for a new trial, and to amend the judgment.

Dated: October 4, 2006

By:

/s/ J. Thad Heartfield

J. Thad Heartfield

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this pleading was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 4th day of October, 2006.

/s/ J. Thad Heartfield

J. Thad Heartfield