

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

Finisar Corporation, a Delaware corporation,

Plaintiff,

v.

The DIRECTV Group, Inc., a Delaware Corporation; DIRECTV Holdings, LLC, a Delaware Limited Liability Company; DIRECTV Enterprises, LLC, a Delaware Limited Liability Company; DIRECTV Operations, LLC, a California Limited Liability Company; DIRECTV, Inc., a California Corporation; and Hughes Network Systems, Inc., a Delaware Corporation,

Defendants.

Case No. 1:05-cv-0264

Judge Ron Clark

NOTICE OF APPEAL

Plaintiff Finisar Corporation hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in this action on May 19, 2009 (Dkt. No. 426) and from any adverse rulings underlying the Final Judgment, including but not limited to (1) the Order Granting Defendants' Motion for Summary Judgment entered May 19, 2009 (Dkt. No. 423), (2) the Order Denying Plaintiff's Motion for Summary Judgment entered May 19, 2009 (Dkt. No. 424), (3) the Order entered October 16, 2008 (Dkt. No. 379), (4) the Scheduling Order entered October 17, 2008 (Dkt. No. 380), (5) the Order denying Plaintiff's Motion for Reconsideration entered November 10, 2008 (Dkt. No. 387), and (6) the Memorandum Opinion and Order Construing Claim Terms of United States Patent No. 5,404,505 entered February 17, 2006 (Dkt. No. 57).

DATED: May 22, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel in this action, including the following:

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