

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

MHL TEK, LLC,

Plaintiff,

v.

NISSAN MOTOR CO., et al.,

Defendants.

Case No. 2:07-cv-289-TJW

JURY TRIAL DEMANDED

DEFENDANTS' (EXCEPT VW/AUDI DEFENDANTS) CROSS-NOTICE OF APPEAL

Notice is hereby given that Defendants Nissan Motor Co., Ltd., Nissan North America, Inc., Nissan Technical Center North America, Inc., Hyundai Motor Co., Hyundai Motor America, Hyundai Motor Manufacturing Alabama, LLC, Kia Motors Corporation, Kia Motors America, Inc., Dr. Ing. h.c. F. Porsche AG, Porsche Cars North America, Inc., BMW AG, BMW of North America, LLC, BMW Manufacturing Co., LLC, Subaru of America, Inc., and Subaru of Indiana Automotive, Inc. (collectively, "Defendants")¹ hereby cross appeal to the United States Court of Appeals for the Federal Circuit from the following orders, rulings, and judgments of the United States District Court for the Eastern District of Texas:

1. Final Judgment (docket no. 617, attached as Exhibit A) entered in this action on February 26, 2010, and all orders and judgments of the district court incorporated into the Final Judgment;
2. Order Denying Defendants' Motion to Dismiss Claim 2 for Lack of Subject Matter Jurisdiction (docket no. 468, attached as Exhibit B) entered in this action

¹ Defendants Audi AG, Volkswagen Group of America, Inc. (also d/b/a Audi of America, Inc.), and Volkswagen AG have not joined in this cross notice of appeal. It is Defendants understanding that the VW/Audi Defendants intend to file a separate cross notice of appeal.

on November 10, 2009; and

3. Any and all orders, rulings, and judgments underlying any of the foregoing.

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$450.00) as required by 28 U.S.C. § 1913, 28 U.S.C. § 1917, Federal Circuit rule 52(a)(3)(A), and Rule 3(e) of the Federal Rules of Appellate Procedure.

Dated: April 9, 2010

Respectfully submitted,

By: */s/ Jeffrey S. Patterson*

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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 April 9, 2010, 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/ Nick Bunch

Nick Bunch