

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

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC., AOL LLC, MICROSOFT
CORPORATION, YAHOO! INC.,
IAC SEARCH & MEDIA, INC., and
A9.COM, INC.,

Defendants.

Case No. 2:07-cv-432 (RRR)

JURY TRIAL DEMANDED

NOTICE OF APPEAL

Notice is given that Plaintiff Performance Pricing, Inc., by counsel, hereby appeals to the United States Court of Appeals for the Federal Circuit from this Court's Final Judgment entered on March 22, 2010 (Docket No. 338), Summary Judgment Order entered on March 17, 2010 (Docket No. 336), and the Opinion and Order of August 13, 2009 (Docket No. 231) construing certain terms of the claims of U.S. Patent No. 6,978,253.

Respectfully submitted,

Dated: April 6, 2010

By: /s/ Richard E. Lyon

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CERTIFICATE OF SERVICE

I hereby certify that counsel of record are being served on April 6, 2010 with a copy of this document.

/s/ Richard E. Lyon
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