

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYNQOR, INC.

Plaintiff,

v.

ARTESYN TECHNOLOGIES, INC.,
ASTEC AMERICA INC.,
BEL FUSE INC.,
CHEROKEE INTERNATIONAL CORP.,
DELTA ELECTRONICS, INC.,
DELTA PRODUCTS CORP.,
LINEAGE POWER CORP.,
MURATA ELECTRONICS NORTH
AMERICA, INC.,
MURATA MANUFACTURING CO., LTD.,
MURATA POWER SOLUTIONS INC., and
POWER-ONE, INC.

Defendants.

Civil Action No. 2:07-CV-497-TJW-CE

**DEFENDANTS CHEROKEE INTERNATIONAL CORP.'S AND LINEAGE POWER
CORP.'S NOTICE OF INTERLOCUTORY APPEAL**

Notice is hereby given that Cherokee International Corp. ("Cherokee") and Lineage Power Corp. ("Lineage") appeal to the United States Court of Appeals for the Federal Circuit from the Permanent Injunction issued by this Court on January 24, 2011 (Docket No. 932). Appellate jurisdiction arises from the statute permitting interlocutory appeals from orders granting injunctions. 28 U.S.C. § 1292(a)(1) & (c)(1).

The Court has not entered final judgment under Fed. R. Civ. P. 54 and, therefore, this is not an appeal from a final judgment under 28 U.S.C. § 1292(c)(2).

Because the permanent injunction was issued after a jury trial and several rulings and decisions of this Court, Cherokee's and Lineage's appeal from the permanent injunction also necessarily includes all decisions and rulings that underlie or are intertwined with that injunction, and that otherwise affect the questions of validity and infringement of U.S. Patents Nos. 7,072,190; 7,269,034; 7,272,021; 7,558,083; and 7,564,702 (collectively, "the asserted patents"). Those underlying or intertwined decisions and rulings include, but are not limited to:

1. The Memorandum and Opinion Order accompanying the Permanent Injunction (Docket No. 931);
2. The district court's denial of Cherokee's and Lineage's motions for judgment as a matter of law pursuant to Fed. R. Civ. P. 50(a);
3. The district court's partial judgment entering the jury's verdict (Docket No. 907);
4. The jury's verdict that the asserted patents were not proven invalid and have been infringed by Cherokee and Lineage (Docket No. 889);
5. The district court's rulings during the jury trial;
6. The district court's rulings on Plaintiff's and Defendants' motions in limine;
7. The district court's denial of Defendants' motions for summary judgment (including Docket Nos. 698 and 715);
8. The district court's partial grant of Plaintiff's motion for partial summary judgment against Lineage and Cherokee (Docket No. 754); and
9. The district court's Memorandum Opinion and Order interpreting the claims of the asserted patents (Docket No. 474).

With the filing of the notice of appeal is the \$450.00 appeal fee required by 28 U.S.C. § 1913 and the \$5.00 filing fee required by 28 U.S.C. § 1917.

DATED: January 26, 2011

Respectfully submitted,

WILSON, ROBERTSON & CORNELIUS, P.C.
P.O. Box 7339
Tyler, Texas 75711-7339
Telephone: (903) 509-5000
Facsimile: (903) 509-5091
wc@wilsonlawfirm.com

By: /s/ William J. Cornelius
WILLIAM J. CORNELIUS
State Bar No. 04834700

ATTORNEYS FOR DEFENDANTS
CHEROKEE INTERNATIONAL CORPORATION AND
LINEAGE POWER CORPORATION

OF COUNSEL:

Richard C. Vasquez
RVasquez@vblaw.com
Jeffrey T. Lindgren
JLindgren@vblaw.com
Eric W. Benisek
EBenisek@vblaw.com
Craig E. Davis
CDavis@vblaw.com
Stephen C. Steinberg
SSteinberg@vblaw.com
VASQUEZ BENISEK & LINDGREN LLP
3685 Mt. Diablo Blvd., Suite 300
Lafayette, CA 94549
Telephone: (925) 627-4250
Facsimile: (925) 403-0900

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on January 26, 2011.

/s/ William Cornelius
WILLIAM CORNELIUS