

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

RAYLON, LLC,

Plaintiff,

vs.

ADVANCED PUBLIC SAFETY, INC.; CASIO  
AMERICA, INC.; CASIO COMPUTER CO., LTD.;  
SYMBOL TECHNOLOGIES, INC.; TRIPOD  
DATA SYSTEMS; and ZEBRA TECHNOLOGIES  
CORPORATION,

Defendants.

Civil Action No. 6:09-cv-00356-LED

**NOTICE OF APPEAL OF SYMBOL TECHNOLOGIES INC.**

Notice is hereby given that defendant Symbol Technologies, Inc. (“Symbol”) in the above named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment, entered in this action on March 23, 2011, and from the Memorandum Opinion and Order denying Symbol’s motion for Rule 11 sanctions, entered in this action on March 9, 2011.

Currently pending before the Court is the motion by defendants Casio America, Inc. and Casio Computer Co., Ltd., Complus Data Innovations, and Symbol to amend the judgment pursuant to Rule 59 of the Federal Rules of Civil Procedure and to toll the appeal period pending resolution of these defendants’ motions for attorneys’ fees and costs filed pursuant to Rule 54 of the Federal Rules of Civil Procedure. Pursuant to Rule 4(a)(4)(B) of the Federal Rules of Appellate Procedure, Symbol understands that this notice of appeal shall become effective to appeal the judgment when the order disposing of the motion to amend is entered, or in the event

the appeal period is tolled pending resolution of the motions for attorneys' fees and costs, when the last of the orders disposing of the motion to amend and motions for attorneys' fees and costs is entered.

Dated: April 21, 2011

Respectfully Submitted,

*/s/ Jonathan M. Sobel*  
*(w/permission by Allen F. Gardner)*

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**ATTORNEYS FOR DEFENDANT  
SYMBOL TECHNOLOGIES, INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing NOTICE OF APPEAL OF SYMBOL TECHNOLOGIES INC has been served on all Counsel of record who have consented to electronic service by electronic mail on April 21, 2011. Any other counsel of record will be served via First Class U.S. Mail on this same date.

*/s/ Allen F. Gardner*

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Allen F. Gardner