

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

RAYLON, LLC,

Plaintiff

v.

COMPLUS DATA INNOVATIONS, INC., ET
AL.,

Defendants

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CIVIL ACTION NO. 6:09-cv-355-LED

COMPLUS’S NOTICE OF APPEAL

Notice is hereby given that Defendant Complus Data Innovations, Inc., hereby appeals to the **United States Court of Appeals for the Federal Circuit** from the March 23, 2011 Final Judgment entered in this action, (Dkt. No. 150), and from the March 9, 2011 Memorandum Opinion and Order denying Complus’s motion for Rule 11 sanctions, (Dkt. No. 147).

Complus, along with codefendants Casio America, Inc. and Casio Computer Co., Ltd. and related defendant Symbol Technologies, Inc., has moved 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 (the “Motion”), (Dkt. No. 153). Pursuant to Rule 4(a)(4)(B) of the Federal Rules of Appellate Procedure, Complus understands that this notice of appeal shall become effective to appeal the judgment when the order disposing of the Motion 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 and motions for attorneys' fees and costs is entered.

Dated: April 22, 2011

Respectfully submitted,

/s/ Don Tiller

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ATTORNEYS FOR DEFENDANT,
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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the forgoing document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on April 22, 2011.

/s/ Don Tiller

Donald E. Tiller