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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **WESTERN DIVISION**

14 AUTHENEX, INC., a Delaware
15 corporation,

16 Plaintiff,

17 v.

18 EMC CORPORATION, a Massachusetts
19 corporation, VASCO DATA SECURITY
20 INTERNATIONAL, INC., a Delaware
21 Corporation; and VASCO DATA
SECURITY, INC., a Delaware
corporation.

22 Defendants.

Case No.: **CV 10-01251-MRP (VBKx)**

**PLAINTIFF AUTHENEX, INC.'S
NOTICE OF APPEAL**

Judge: Hon. Mariana R. Pfaelzer

23 **AND RELATED COUNTERCLAIMS**
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1 Pursuant to Federal Rule of Appellate Procedure 4, notice is hereby given
2 that Plaintiff Authenex, Inc. in the above-named case hereby appeals to the United
3 States Court of Appeals for the Federal Circuit from:

- 4 1. the Court's Final Judgment Order dated May 16, 2011 (Docket No. 179)
5 (attached as Exhibit A);
- 6 2. the Court's Claim Construction Order dated October 7, 2010 (Docket No.
7 78) (attached as Exhibit B);
- 8 3. the Court's Order dated February 11, 2011 (Docket No. 144) denying
9 Authenex's Motion for Reconsideration of the Court's Claim
10 Construction Order(Docket No. 108)(attached as Exhibit C);
- 11 4. the Court's Order dated February 16, 2011 (Docket No. 153) granting
12 EMC Corporation's Motion for Summary Judgment of Non-Infringement
13 of Unites States Patent No. 7,519,989 (Docket No. 88) (attached as
14 Exhibit D);
- 15 5. the Court's Order dated May 16, 2011 granting Defendant EMC
16 Corporation's Motion for Entry of Judgment of Non-Infringement
17 (Docket No. 178) (attached as Exhibit E);

18 copies of which are attached as exhibits hereto, and all other adverse appealable
19 orders, rulings, finding and judgments entered in this action. A service list for the
20 case is attached as Exhibit F. Authenex notes that this appeal is related to its
21 previous appeal in this case, currently Appeal No. 2011-1264 before the Federal
22 Circuit.

23 Date: March 17, 2011

THE PITCOCK LAW GROUP

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25 By: /s/ Jeremy S. Pitcock
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1 ADDITIONAL COUNSEL OF RECORD FOR PLAINTIFF AUTHENEX, INC.

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