

- Invalidity (docket number 182, attached as Exhibit D);
- d. Memorandum and Order on Claims of Patent Misuse (docket number 187, attached as Exhibit E); and
 - e. Oral Order Denying Shure Inc.'s Laches Defense (docket nos. 170-177, Trial Transcript, Day 6, January 20, 2009);
- 2. Order Denying Defendant Shure Inc.'s Renewed Motion for Judgment as a Matter of Law of Non-Infringement and Invalidity, entered in this action on April 22, 2009 (docket no. 195, attached as Exhibit F);
 - 3. Order Denying Defendant Shure Inc.'s Motion to Alter or Amend Judgment entered in this action on April 24, 2009 (docket no. 196, attached as Exhibit G); and
 - 4. Any and all orders, rulings, and judgments underlying any of the foregoing.

Included herewith is payment of the filing fee (\$5.00) and the docketing fee (\$450.00) as required by 28 U.S.C. § 1913, 28 U.S.C. § 1917, Federal Circuit rule 52(a)(3)(A), and Rule 3(e) of the Federal Rules of Appellate Procedure.

Dated: May 5, 2009

Respectfully submitted,

/s/ Diane V. DeVasto

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**ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 5, 2009. Any other counsel of record will be served by facsimile transmission and first class mail on this same date.

/s/ Diane V. DeVasto

Diane V. DeVasto