

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

MORRIS REESE,

Plaintiff

v.

AT&T, Inc., Southwestern Bell
Telephone, L.P., Verizon
Communications Inc., GTE Southwest,
Inc.

Defendants

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C.A. NO. 2:07cv219-DF

NOTICE OF APPEAL

Notice is hereby given that Morris Reese, Plaintiff 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 by Judge David Folsom on December 23, 2008 (Docket No. 116), under Rule 58 of the Federal Rules of Civil Procedure, dismissing Plaintiff's claims for infringement and further appeals the Court's Claim Construction Order signed by Judge David Folsom on September 24, 2008 (Docket No. 97). Because a final judgment of non-infringement has been entered, this Court's claim construction and finding of non-infringement with respect to U.S. Patent No. 6,868,150 are thus ripe for appeal.

Respectfully submitted,

Dated: January 21, 2009

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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-S(a)(3) on October 8, 2008. Any other counsel of record will be served by first class U.S. mail.

/s/Edward W. Goldstein

Edward W. Goldstein