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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 LUCENT TECHNOLOGIES INC.,

12 Plaintiff,

13 v.

14 MICROSOFT CORPORATION,

15 Defendant.

Case No. 07-CV-2000-H (CAB)

**LUCENT'S NOTICE OF APPEAL
FROM THE FINAL JUDGMENT OF
NOVEMBER 10, 2011**

Hon. Marilyn L. Huff

1 NOTICE IS HEREBY GIVEN, pursuant to Fed. R. App. P. 3 and 4(a)(1), that Plaintiff
2 Lucent Technologies Inc. (“Lucent”) hereby appeals to the United States Court of Appeals for the
3 Federal Circuit from the final judgment granting in part Microsoft’s motion for judgment as a matter
4 of law and in the alternative, a new trial with a remittitur, entered in this case on November 10, 2011
5 (D.I. 1478) (“Judgment”), as well as any and all adverse rulings incorporated in, antecedent to,
6 and/or ancillary to the Judgment.

7 Lucent also appeals from any and all adverse interlocutory judgments, decrees, decisions,
8 rulings, findings, instructions, and opinions that merged into and became part of the Judgment,
9 shaped the Judgment, are related to the Judgment, and/or upon which the Judgment is based. Those
10 incorporated interlocutory judgments, decrees, decisions, rulings, findings, instructions, and opinions
11 include, but are not limited to:

- 12 (i) Order Granting In Part And Denying In Part Microsoft’s Motion For Judgment As A
13 Matter Of Law And In The Alternative, A New Trial With A Remittitur (D.I. 1478),
- 14 (ii) Order Granting In Part And Denying In Part Defendant Microsoft’s Motion In Limine
15 Concerning Sims’ Supplemental Expert Report (D.I. 1323),
- 16 (iii) Order Granting In Part And Denying In Part Defendant Microsoft’s Motions In
17 Limine (D.I. 1284),
- 18 (iv) Order Granting In Part And Denying In Part Defendant Microsoft’s Motions In
19 Limine (D.I. 1194 (redacted version); D.I. 1180 (original)), and
20 any and all adverse interlocutory judgments, decrees, decisions, rulings, findings, instructions, and
21 opinions adverse to Lucent that were rendered before, during, and/or after trial, whether or not they
22 were specifically docketed.

1 Dated: November 16, 2011

Lucent Technologies Inc.

2 By: /s/ David A. Hahn

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