

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

ORION IP, LLC, a Delaware	§	Civil Action No.
Limited Liability Corporation,	§	6:05-CV322-LED
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
MERCEDES-BENZ USA, LLC,	§	JURY DEMANDED
a Delaware Limited Liability	§	
Corporation, et al.,	§	
	§	
Defendants.	§	
	§	

DEFENDANT HYUNDAI MOTOR AMERICA’S NOTICE OF APPEAL

Notice is hereby given that Hyundai Motor America, defendant 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 on April 9, 2008 (Docket No. 642) and all orders intertwined with that final judgment or merged therein, including but not limited to the order denying various Hyundai motions entered on March 28, 2008 (Docket No. 638). Hyundai also hereby appeals the order denying Hyundai’s post-judgment motions entered on December 22, 2008 (Docket No. 695).

Dated: December 30, 2008

RESPECTFULLY SUBMITTED,

POTTER MINTON, P.C.

/s/ Douglas R. McSwane, Jr.

A.M. (Russ) Meyer, Jr.
TX State Bar No. 13998700
rmeyer@jw.com
Robert P. Latham
TX State Bar No. 11975500

blatham@jw.com
Christopher J. Rourk
TX State Bar No. 00795626
crourk@jw.com
John M. Jackson
TX State Bar No. 24002340
jjackson@jw.com
901 Main Street, Suite 6000
Dallas, Texas 75202
Telephone: 214.953.6134
Facsimile: 214.953.6613

Douglas R. McSwane, Jr.
TX State Bar No. 13861300
dougmcswane@potterminton.com
POTTER MINTON
A Professional Corporation
110 N. College, Suite 500
Tyler, Texas 75702
Telephone: 903.597.8311
Facsimile: 903.593.0846

Gene C. Schaerr
DC Bar No. 416368
gschaerr@winston.com
Geoffrey P. Eaton
NY State Bar No. 3000841
geaton@winston.com
WINSTON & STRAWN, LLP
1700 K Street NW
Washington, DC 20006
Telephone: 202.282.5000
Facsimile: 202.282.5100

**ATTORNEYS FOR DEFENDANT
HYUNDAI MOTOR AMERICA**

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 December 30, 2008. Any other counsel of record will be served by first class mail.

/s/ Douglas R. McSwane, Jr.
Douglas R. McSwane, Jr.