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Attorneys for Defendant and Counterclaimant
EMULEX CORPORATION

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
(SOUTHERN DIVISION)

BROADCOM CORPORATION,
Plaintiff,
v.
EMULEX CORPORATION,
Defendant.

Case No. CV 09-1058-JVS (ANx)
consolidated with CV 10-3963 JVS
(ANx)

**NOTICE OF APPEAL
(TO THE FEDERAL CIRCUIT)**

And Related Counterclaims

Notice is hereby given that pursuant to 28 U.S.C. § 1292(a)(1) and 1292(c)(1), or other appellate jurisdiction, and pursuant to Fed. R. App. P. 4(a)(1), Defendant Emulex Corporation (“Emulex”) appeals to the United States Court of Appeals for the Federal Circuit from Permanent Injunction dated April 3, 2012 (D.I. 1095) in those parts adverse to Emulex, and from all underlying decisions,

1 orders, and rulings related to, supporting, or incorporated in that Order as adverse to
2 Emulex, including but not limited to the granting of two judgments as a matter of
3 law of infringement against Emulex (i) the October 5, 2011 in-trial grant of a
4 directed verdict (judgment as a matter of law) of infringement of the '150 Patent
5 (D.I. 871 Trial. Tr. Oct. 5, 2011, p.183), and (ii) the December 16, 2011 (In
6 Chambers) Order Denying Defendant's Motion for Judgment as a Matter of Law on
7 the Basis of Non-Infringement (Count 4) and Granting Plaintiff's Motion for
8 Judgment as a Matter of Law on the Basis of Infringement of '691 Patent (D.I. 993),
9 as well as the December 15, 2011 (In Chambers) Order Denying Defendant's
10 Motion for Judgment as a Matter of Law on the Basis of Obviousness of the '194,
11 '124 and '057 Patents and Defendant's Motion for Judgment as a Matter of Law on
12 the basis of Obviousness of the '150 Patent (D.I. 992), the December 16, 2011 (In
13 Chambers) Order Denying Defendant's Motion for Judgment as a Matter of Law on
14 the Basis of Non-Infringement of the '150 Patent (D.I. 994), the December 17, 2010
15 (In Chambers) Order Regarding Markman /Claim Construction Hearing (D.I. 261),
16 the August 2, 2011 (In Chambers) Order Granting Broadcom's Motion for Partial
17 Summary Judgment of No Invalidity of the '691 and '500 Patents (D.I. 715), the
18 August 2, 2011 (In Chambers) Order Denying Motion for Summary Judgment of No
19 Infringement (Count 11) (D.I. 714), the August 3, 2011 (In Chambers) Order
20 Denying Emulex's Motion for Summary Judgment of No Infringement as to
21 Counts 4 & 5 (D.I. 718), the August 10, 2011 (In Chambers) Minute Order re

Motions in Limine (D.I. 770), and the May 5, 2011 Order Re The Parties' Respective Motions To Strike Certain Expert Reports or Portions Thereof (D.I. 341).

Respectfully Submitted,

Dated: April 4, 2012

FISH & RICHARDSON P.C.

By: /s/ Jonathan J. Lamberson

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EMULEX CORPORATION

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on April 4, 2012 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civ. L.R. 5-3.3. Any other counsel of record will be served by U.S. mail or hand delivery.

By: /s/ Jonathan J. Lamberson
Jonathan J. Lamberson

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