

1 Patrick F. Bright (State Bar SBN68709)
2 WAGNER, ANDERSON & BRIGHT, P. C.
3 3541 Ocean View Boulevard
4 Glendale, CA 91208
5 (818) 249-9300
6 (818) 249-9335 (fax)
7 E-Mail: pbright@patentattorney.us

8 Attorneys for Plaintiff
9 K TECH TELECOMMUNICATIONS, INC.

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

11 K-TECH
12 TELECOMMUNICATIONS, INC., a
13 Delaware corporation,
14
15 Plaintiff,
16 vs.
17 TIME WARNER CABLE, INC., a
18 Delaware corporation
19 Defendant.

CASE NO. CV11-09373 RGK
(RZx)

NOTICE OF APPEAL

**PLAINTIFF K TECH TELECOMMUNICATION INC.'S NOTICE OF
APPEAL**

23 Notice is hereby given that Plaintiff K Tech Telecommunications, Inc.
24 appeals to the United States Court of Appeals for the Federal Circuit from this
25 Court's Order dated May 9, 2012.

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Respectfully submitted,

Dated: May 25, 2012

by: 

Patrick F. Bright
WAGNER, ANDERSON & BRIGHT, P.C.
3541 Ocean View Blvd.
Glendale, CA 91208
Telephone: (818) 249-9300
Facsimile: (818) 249-9335
pbright@patentattorney.us

*Attorneys for Plaintiff
K Tech Telecommunications, Inc.*

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 11-09373-RGK (RZx) Date May 9, 2012
Title K TECH TELECOMMUNICATIONS, INC. v. TIME WARNER CABLE, INC.

Present: The R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE
Honorable

<u>Sharon L. Williams</u>	<u>Not Reported</u>	<u>N/A</u>
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:
Not Present

Attorneys Present for Defendants:
Not Present

Proceedings: **(IN CHAMBERS) Order Re: Defendant's Motion to Dismiss (DE 31)**

On February 21, 2012, the Court granted Defendant's Motion to Dismiss Plaintiff's Complaint for patent infringement on the grounds that Plaintiff failed to allege sufficient factual detail regarding Defendant's accused product and the manner in which it is infringing Plaintiff's patents. The First Amended Complaint ("FAC") Plaintiff filed on February 28, 2012 does not cure the deficiencies identified in the Court's prior order. Plaintiff has still failed to allege facts sufficient to state a plausible claim for patent infringement under the standards articulated in *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 129 S. Ct. 1937 (2009).

Therefore, for the reasons stated in the Court's February 21st Order, the Court **GRANTS** Defendant's Motion to Dismiss Plaintiff's FAC.

IT IS SO ORDERED.

Initials of
Preparer

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was filed via the Court's CM/ECF on May 26, 2012, and therefore a copy was electronically served on the following:

Matthew G. Clark (SBN 233736)
KAYE SCHOLER LLP
1999 Avenue of the Stars, Suite 1700
Los Angeles, CA 90067
E-mail: mclark@kayescholer.com

David S. Benyacar (pro hac vice)
Daniel L. Reisner (pro hac vice)
KAYE SCHOLER, LLP
425 Park Avenue
New York, NY 10022
E-mail: dreisner@kayescholer.com

Attorneys for Defendant Time Warner Cable, Inc.



Patrick F. Bright