

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PARALLEL NETWORKS
LICENSING, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

C.A. No. 13-2073- KAJ-SRF

JURY TRIAL DEMANDED

NOTICE OF APPEAL

Notice is hereby given that Parallel Networks Licensing, LLC appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in the above named case on July 7, 2017 (D.I. 453), and from any and all other judgments, orders, opinions, rulings, and findings pertinent or ancillary to the foregoing, including without limitation:

- Memorandum Opinion and Order denying Parallel Networks' Rule 50(b) Renewed Motion for Judgment as a Matter of Law and Alternative Rule 59 Motion for a New Trial, entered on September 26, 2017 (D.I. 468, 469).
- Oral Order denying Parallel Networks' Motion for Supplemental Claim Construction, entered on May 11, 2017 (May 11, 2017 Trial Tr. at 1091:23-1092:7).
- Oral Order granting Microsoft's Motion In Limine No. 1: To Exclude Reference to the Findings of the Inter Partes Reviews, entered March 13, 2017 (March 13, 2017 Hr'g Tr. at 23:22-24:5); oral Order excluding the IPR ruling, entered on May 9, 2017 (May 9, 2017 Trial Tr. at 341:6-345:9); and oral Orders permitting Microsoft to question a witness regarding excerpts of DX 119 without admitting DX 119 or PX 908 into evidence, precluding Parallel Networks from doing so, and denying Parallel

- Networks' request to question Microsoft's expert about the Inter Partes Review, entered on May 10, 2017 (May 10, 2017 Trial Tr. at 1017:13-1019:12; 1039:5-1043:7, 1058:15-1059:6, 1077:16-1078:4).
- Oral Order granting Microsoft's objection and precluding Parallel Networks from questioning Microsoft's expert witness regarding the Federal Circuit's opinion *Oracle Corp. v. Parallel Networks, LLC*, 375 F. App'x 36, 40 (Fed. Cir. 2010), entered May 10, 2017 (May 10, 2017 Trial Tr. at 1067:4-1068:13).
 - Oral Order granting Microsoft's Motion In Limine No. 2: To Exclude Evidence or Argument Regarding Microsoft's Alleged Failure to Obtain Advice of Counsel, entered March 13, 2017 (March 13, 2017 Hr'g Tr. at 37:12-16).
 - Oral Order granting Microsoft's Motion In Limine No. 4: To Exclude the September 2012 E-mail from Terry Fokas to Stacy Quan, entered March 13, 2017 (March 13, 2017 Hr'g Tr. at 37:12-16) and oral Orders at trial precluding Parallel Networks from discussing that Parallel Networks sent Microsoft claim charts prior to filing suit in opening statement (May 8, 2017 Trial Tr. at 201:9-202:17), excluding PX 203, and precluding testimony regarding pre-suit communications between Parallel Networks and Microsoft (May 9, 2017 Trial Tr. at 338:6-339:13).
 - Order striking Parallel Networks' direct infringement claims as to Windows Server, granting Microsoft's Motion for Summary Judgment of No Direct Infringement by Windows Server, and granting Microsoft's Motion to Exclude the Expert Report of John R. Bone, entered on April 12, 2017 (D.I. 411; 412).

- Memorandum Opinion and Order granting in part Microsoft's Motion for Summary Judgment with respect to indirect infringement, entered on February 22, 2017 (D.I. 360; 361).
- Memorandum Opinion and Order granting Microsoft's Motion to Exclude the Expert Testimony of Dr. Bruce Isaacson and Any Expert Testimony That Relies Upon It, entered on February 22, 2017 (D.I. 355, 356).
- Memorandum Order granting Microsoft's Motion for Partial Judgment on the Pleadings, entered on June 4, 2015 (D.I. 207).
- Order denying Parallel Networks' Motion to Correct the Claims of the Patents-in-Suit, and denying in part Parallel Networks' Motion to Compel, entered on August 20, 2015 (D.I. 240, 241).

Payment of the filing fee (\$5) and the docketing fee (\$500) as required by 28 U.S.C. § 1917, Federal Circuit Rule 52(a)(3), and Rule 3(e) of the Federal Rules of Appellate Procedure has been made.

Dated: October 24, 2017

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CERTIFICATE OF SERVICE

I, Pilar G. Kraman, hereby certify that on October 24, 2017, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on October 24, 2017, I caused a true and correct copy of the foregoing document to be served by e-mail on the above-listed counsel of record and on the following:

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