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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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MICRON TECHNOLOGY, INC.,

Case No. C-06-04496 JF

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Plaintiff,

NOTICE OF APPEAL

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v.

The Honorable Jeremy Fogel

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MOSAID TECHNOLOGIES, INC.,

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Defendant.

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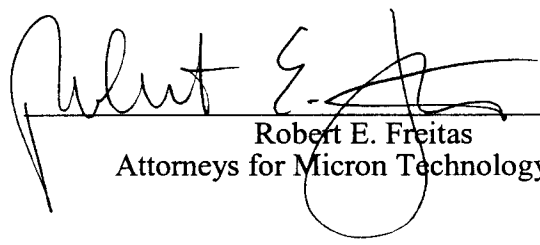
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Notice is hereby given that Plaintiff Micron Technology, Inc. appeals to the United States Court of Appeals for the Federal Circuit from the "Order Granting Mosaid's Motion To Dismiss For Lack Of Subject Matter Jurisdiction" (Docket #35) entered in this action on October 23, 2006.

Dated: November 17, 2006

Respectfully submitted,
ROBERT E. FREITAS
MICHAEL C. SPILLNER
ORRICK, HERRINGTON & SUTCLIFFE LLP



Robert E. Freitas
Attorneys for Micron Technology, Inc.

1 **DECLARATION OF SERVICE**

2 I am more than eighteen years old and not a party to this action. My place of
3 employment and business address is 1000 Marsh Road, Menlo Park, CA 94025.

4 On November 17, 2006, I served the following documents:

5 **NOTICE OF APPEAL**



7 **(BY MAIL)** I placed the sealed envelope(s) for collection and mailing by
8 following the ordinary business practices of Orrick, Herrington & Sutcliffe
9 LLP, Menlo Park, California. I am readily familiar with Orrick, Herrington
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Executed on November ____, 2006, at Menlo Park, California.

I declare under penalty of perjury that the foregoing is true and correct.

(Print Name)