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19 *ATTORNEYS FOR PLAINTIFF AND COUNTERCLAIM-DEFENDANT JARROW*
20 *FORMULAS, INC.*

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

23 JARROW FORMULAS, INC.,
24 Plaintiff,
25 vs.
26 NOW HEALTH GROUP, INC.
27 Defendant.

Case No. 2:10-cv-8301-PSG (JCx)
Related Case No. (Consolidated)
2:11-cv-00164 PSG (JCx)

JARROW FORMULAS, INC.’S
NOTICE OF APPEAL

28 SOFT GEL TECHNOLOGIES, INC.,
Plaintiff/Counter
Defendant,

The Honorable Philip S. Gutierrez

vs.
JARROW FORMULAS, INC.,
Defendant/Counter
Claimant.

Courtroom: Room 880
Location: Roybal Federal Building
255 East Temple Street
Los Angeles, CA 90011

McCarter & English, LLP

1 Notice is hereby given that Jarrow Formulas, Inc. (“Jarrow”) hereby appeals
2 to the United States Court of Appeals for the Federal Circuit from the final
3 judgment entered by this Court on September 9, 2013 (Dkt. # 217). More
4 particularly, Jarrow appeals the following orders contained within the Court’s final
5 judgment:

6 1) Judgment entered in favor of NOW Health Group, Inc. d/b/a Now
7 Foods (“NOW”) and against Jarrow as to Jarrow’s Second Amended Complaint
8 against NOW for infringement of U.S. Patent No. 7,588,786 (“the ‘786 Patent”)
9 (Dkt. # 85), for the reasons set forth in the Court’s (In Chambers) Order
10 CONSTRUING CLAIMS and GRANTING Defendants’ Motion for Summary
11 Judgment (Dkt. #156);

12 2) Judgment entered in favor of Soft Gel Technologies, Inc. (“Soft Gel”)
13 and against Jarrow as to Count I of Soft Gel’s First Amended Complaint for
14 Declaratory Judgment (Dkt. # 53) seeking a declaration that the ‘786 Patent is not
15 infringed, for the reasons set forth in the Court’s (In Chambers) Order
16 CONSTRUING CLAIMS and GRANTING Defendants’ Motion for Summary
17 Judgment (Dkt. #156);

18 3) Judgment entered in favor of Soft Gel and against Jarrow as to the
19 First Claim for Relief of Jarrow’s Counterclaims (Dkt. # 56) against Soft Gel for
20 infringement of the ‘786 Patent, for the reasons set forth in the Court’s (In
21 Chambers) Order CONSTRUING CLAIMS and GRANTING Defendants’ Motion
22 for Summary Judgment (Dkt. #156);

23 4) Judgment entered in favor of Soft Gel and against Jarrow as to the
24 Second Claim for Relief of Jarrow’s Counterclaims (Dkt. # 56) against Soft Gel for
25 injunctive relief, for the reasons set forth in the Court’s (In Chambers) Order
26 CONSTRUING CLAIMS and GRANTING Defendants’ Motion for Summary
27 Judgment (Dkt. # 156); and
28

PROOF OF SERVICE

I am a resident of the State of Connecticut, over the age of eighteen years, and not a party to the within action. I am employed in the office of McCarter & English, LLP which is a member of the bar by pro hac vice of this Court at whose direction the service was made. My business address is McCarter & English, LLP, 185 Asylum Street, Hartford, CT 06103.

On October 8, 2013, I served the following document to all other parties appearing on the docket sheet, as listed below:

JARROW FORMULAS, INC.’S NOTICE OF APPEAL

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*Counsel for NOW Health Group, Inc.,
d/b/a NOW Foods*

McCarter & English, LLP

1 I declare under penalty of perjury under the laws of the United States that
2 the above is true and correct. Executed on October 8, 2013, at Hartford,
3 Connecticut.

4 /s/ Thomas J. Rechen
5 Thomas J. Rechen
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