SHEPPARD, MULLIN, RICHTER & HAMPTON LLP 1 A Limited Liability Partnership **Including Professional Corporations** STEVEN M. HANLE, Cal. Bar No. 168876 shanle@sheppardmullin.com ANDRE DE LA CRUZ, Cal, Bar No. 245175 4 adelacruz@sheppardmullin.com 650 Town Center Drive, 4th Floor 5 Costa Mesa, California 92626-1993 Telephone: 714.513.5100 Facsimile: 714.513.5130 7 Attorneys for Plaintiff Imaginal Systematics, LLC 8 9 UNITED STATES DISTRICT COURT 10 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION 11 IMAGINAL SYSTEMATICS, LLC, Case No. CV13-05463 RGK (SSx) 12 Plaintiff, IMAGINAL SYSTEMATICS, LLC'S NOTICE OF APPEAL TO THE 13 UNITED STATES COURT OF APPEALS FOR THE FEDERAL 14 LEGGETT & PLATT, INC.; CIRCUIT SIMMONS BEDDING COMPANY: 15 Hon. R. Gary Klausner and DOES 1 through 10, inclusive, 16 Defendants. Trial Date: September 30, 2014 9:00 a.m. Time: 17 Crtrm.: 850 18 19 Notice is hereby given that Plaintiff Imaginal Systematics, LLC appeals to the 20 United States Court of Appeals for the Federal Circuit from the "Order re: 21 Imaginal's Motion for Claim Construction Summary Judgment (DE 44); 22 Defendants' Motion for Claim Construction and Partial Summary Judgment (DE 23 75)" (DE 195, hereinafter the "Summary Judgment Order"). Pursuant to 28 U.S.C. 24 § 1292(c)(2), the Federal Circuit has jurisdiction to hear appeals "from a judgment 25 in a civil action for patent infringement which would otherwise be appealable to the 26 United States Court of Appeals for the Federal Circuit and is final except for an 27 28

Case No.: CV13-05463-RGK (SSx)
Imaginal's Notice of Appeal

SMRH:432682655.1

1	accounting." The Summary Judgment Order is a final decision as to all legal issues
2	except an accounting, <i>i.e.</i> , damages.
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4	Dated: September 17, 2014 Respectfully submitted,
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6	SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
7	By/s/ Steven M. Hanle
8	STEVEN M. HANLE Attorney for Plaintiff
9	IMAGINAL SYSTEMATICS, LLC
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