

Mishcon de Reya New York LLP

1 MISHCON DE REYA NEW YORK LLP  
Mark S. Raskin (*admitted Pro Hac Vice*)  
2 Email: [mark.raskin@mishcon.com](mailto:mark.raskin@mishcon.com)  
John F. Petrsoric (*admitted Pro Hac Vice*)  
3 Email: [john.petrсорic@mishcon.com](mailto:john.petrсорic@mishcon.com)  
Eric P. Berger (*admitted Pro Hac Vice*)  
4 Email: [eric.berger@mishcon.com](mailto:eric.berger@mishcon.com)  
750 7th Avenue, 26<sup>th</sup> Floor  
5 New York, New York 10019  
Telephone: 212.612.3270  
6 Facsimile: 212.612.3297

7 RUSS AUGUST & KABAT  
Marc A. Fenster, State Bar No. 181067  
8 Email: [mfenster@raklaw.com](mailto:mfenster@raklaw.com)  
Irene Y. Lee, State Bar No. 213625  
9 Email: [ilee@raklaw.com](mailto:ilee@raklaw.com)  
12424 Wilshire Boulevard, 12<sup>th</sup> Floor  
10 Los Angeles, California 90025  
Telephone: 310.826.7474  
11 Facsimile: 310.826.6991

12 Attorneys for Plaintiff McRO, Inc., d.b.a. Planet Blue

13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**

15  
16 McRo, Inc., d.b.a. Planet Blue,

17 Plaintiff,

18 v.

19 Konami Digital Entertainment, Inc.,

20 Defendant.  
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23

**CASE No. 12-cv-10323-GW (FFMx)**

Honorable George H. Wu

**PLAINTIFF McRO, INC., dba  
PLANET BLUE'S NOTICE OF  
APPEAL**

Mishcon de Reya New York LLP

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PLEASE TAKE NOTICE that Plaintiff McRo, Inc., d.b.a. Planet Blue, in the above named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the ruling on Defendants’ motion for judgment on the pleadings based on unpatentability under 35 U.S.C. Section 101 (D.I. 32, attached as Exhibit 1) entered on September 22, 2014. Appeal is taken in this and all of the related cases identified in Exhibit 2, attached hereto.

DATED: October 22, 2014                      Respectfully submitted,

By: /s/ Mark Raskin  
Mark S. Raskin  
John F. Petrusic  
Eric P. Berger  
Mishcon de Reya New York LLP

RUSS AUGUST & KABAT  
Marc A. Fenster, State Bar No. 181067  
Irene Y. Lee, State Bar No. 213625

Attorneys for Plaintiff  
McRO, Inc., dba Planet Blue

**CERTIFICATE OF SERVICE**

I hereby certify that on October 22, 2014, the foregoing document was filed electronically via the Court's Electronic Case Filing System (ECF). Notice of the filing is being served upon all counsel of record automatically through Notice of Electronic Filing.

/s/ Mark S. Raskin  
Mark S. Raskin