

**United States District Court
Western District of Texas
Waco Division**

Affinity Labs of Texas, LLC,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 6:15-cv-00029-WSS-JCM
)	
Amazon.com, Inc.)	
Amazon Digital Services, Inc.)	
)	
Defendants.)	

**Plaintiff Affinity Labs of Texas, LLC Notice of Appeal
to the Federal Circuit Court of Appeals**

This is notice that Plaintiff Affinity Labs of Texas, LLC appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on September 23, 2015 (Dkt. #69) and all Orders and rulings leading up to and subsumed within that judgment and ancillary to it, including the September 23, 2015 Order adopting the Magistrate Judge’s Report and Recommendation and granting Defendants’ motion pursuant to Fed. R. Civ. P. 12(c) dismissing this case (Dkt. #68), and all underlying and/or interlocutory orders, decisions and rulings that relate to or gave rise to that judgment, including for example the Magistrate Judge’s Report and Recommendation (Dkt. #61).

Dated: September 24, 2015

Respectfully Submitted,

By: /s/ John P. Palmer

Naman Howell Smith & Lee, PLLC
John P. Palmer (State Bar No. 15430600)
P.O. Box 1470
Waco, TX 76703-1470
Telephone: (254) 755-4100
Facsimile: (254) 754-6331
palmer@namanhowell.com

Robins Kaplan LLP
Ronald J. Schutz (MN Bar No. 130849)
Cyrus A. Morton (MN Bar No. 287325)
Patrick M. Arenz (MN Bar No. 386537)
Daniel R. Burgess (MN Bar No. 389976)
Shira T. Shapiro (MN Bar No. 390508)
Kristine A. Tietz (MN Bar No. 393477)

Western District of Texas Members

800 LaSalle Avenue, Suite 2800
Minneapolis, Minnesota 55402
Telephone: (612) 349-8500
Facsimile: (612) 339-4181
RSchutz@robinskaplan.com
CMorton@robinskaplan.com
PArenz@robinskaplan.com
DBurgess@robinskaplan.com
SShapiro@robinskaplan.com
KTietz@robinskaplan.com

Counsel for Plaintiff
Affinity Labs of Texas, LLC

Certificate of Service

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document (Plaintiff Affinity Labs of Texas, LLC's Notice of Appeal to the Federal Circuit Court of Appeals) via the Court's CM/ECF system on September 24, 2015.

September 24, 2015

/s/ John P. Palmer