

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

ICON HEALTH & FITNESS, INC., a  
Delaware corporation,

Plaintiff,

v.

OCTANE FITNESS, LLC, a Minnesota limited  
liability company,

Defendant.

Case No: 0:09-cv-00319 (ADM/SER)

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiff ICON Health & Fitness, Inc. (“ICON”) hereby appeals to the United States Court of Appeals for the Federal Circuit, pursuant to 28 U.S.C. § 1295(a)(1) and Rules 3(a)(1) and 4(a)(1)(A) of the Federal Rules of Appellate Procedure, from the Amended Judgment entered on September 25, 2015 [Docket No. 301]; the Memorandum Opinion and Order Amending Judgment entered on September 24, 2015 [Docket No. 300]; the Judgment entered on September 2, 2015 [Docket No. 297]; the Memorandum Opinion and Order granting in part and denying in part Defendant Octane Fitness LLC’s Application for Reasonable Attorney’s Fees and Expenses entered on September 1, 2015 [Docket No. 296]; the Memorandum Opinion and Order granting Defendant Octane Fitness, LLC’s Renewed Motion for Attorney’s Fees and Costs entered on July 1, 2015 [Docket No. 284]; and any and all other orders, rulings, findings, and/or conclusions of the Court adverse to ICON with respect to the Court’s exceptional-case ruling under § 285 of the Patent Act and the award of attorney’s fees and costs.

Dated: October 1, 2015

Respectfully submitted,

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