

1 DAVID R. BOYAJIAN (SBN #257825)

2 DAVID W. AXELROD (OSB #750231)

admitted pro hac vice

3 BRENNAN K. LEGAARD (OSB #001658)

admitted pro hac vice

4 NICHOLAS F. ALDRICH, JR. (OSB #160306)

admitted pro hac vice

5 SARA KOBAC (OSB #023495)

admitted pro hac vice

7 **SCHWABE, WILLIAMSON & WYATT, P.C.**

1211 SW 5th Ave., Suite 1900

Portland, OR 97204

Telephone: 503.222.9981

E-mail: dboyajian@schwabe.com

daxelrod@schwabe.com

blegaard@schwabe.com

naldrich@schwabe.com

skobak@schwabe.com

Attorneys for Plaintiff

15 UNITED STATES DISTRICT COURT
16 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
17 SAN DIEGO DIVISION

18 COLUMBIA SPORTSWEAR NORTH
19 AMERICA, INC., an Oregon corporation,

20 Plaintiff,

21 v.

22 SEIRUS INNOVATIVE ACCESSORIES,
23 INC., a Utah corporation,

24 Defendant.

Case No.: 3:17-cv-01781-HZ

**AMENDED NOTICE OF
APPEAL**

Judge: Marco A. Hernandez

Date Action Filed: January 12, 2015

Trial Date: September 19, 2017

AMENDED NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1295(a)(1) and Rule 4(a)(4) of the Federal Rules of Appellate Procedure, notice is hereby given that Plaintiff Columbia Sportswear North America, Inc. ("Columbia") in the above-captioned case appeals to the United States Court of Appeals for the Federal Circuit from the Opinion & Order entered in this action on March 13, 2018 [Dkt. 455] on its Motion for Judgment as a Matter of Law and Motion for New Trial under Federal Rules of Civil Procedure 50(b) and 59 [Dkt. 420] and from the final Judgment entered in this action on November 22, 2017 [Dkt. 403].

Pursuant to 28 U.S.C. § 1295(a)(1), Columbia previously filed a notice of appeal from the final Judgment entered in this action on November 22, 2017 [Dkt. 403] and from any adverse orders and rulings merged into the final Judgment. [Dkt. 421.] That appeal is *Columbia Sportswear North America, Inc. v. Seirus Innovative Accessories, Inc.* (Federal Circuit Case Nos. 18-1329, -1331), which is currently pending before the United States Court of Appeals for the Federal Circuit.

Dated: March 22, 2018

SCHWABE, WILLIAMSON & WYATT, P.C.

By: s/ Nicholas F. Aldrich

David R. Boyajian

E-mail: dboyajian@schwabe.com

David W. Axelrod, *admitted pro hac vice*

E-mail: daxelrod@schwabe.com

Brenna K. Legaard, *admitted pro hac vice*

E-mail: blegard@schwabe.com

Nicholas F. Aldrich, Jr., *admitted pro hac vice*

E-mail: naldrich@schwabe.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2018, I served by electronic service via the Court's CM/ECF System the foregoing document on the following counsel of record for Defendant Seirus Innovative Accessories, Inc.:

Renée E. Rothauge
ReneeRothauge@markowitzherbold.com
MARKOWITZ HERBOLD PC
Suite 3000, Pacwest Center
1211 SW Fifth Avenue
Portland, OR 97204-3730

Christopher S. Marchese
marchese@fr.com

Garrett K. Sakimae
sakimae@fr.com

Michael A. Amon
amon@fr.com

Seth M. Sproul
sproul@fr.com

Tucker N. Terhufen
terhufen@fr.com

Oliver J. Richards
orichards@fr.com
FISH & RICHARDSON PC
12390 El Camino Real
San Diego, CA 92130

s/ Nicholas F. Aldrich

Nicholas F. Aldrich

Email: naldrich@schwabe.com