

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

20/20 VISION CENTER, LLC,

Plaintiff,

vs.

VISION PRECISION HOLDINGS, LLC,
STANTON OPTICAL FLORIDA, LLC d/b/a
STANTON OPTICAL & MY EYELAB, THOMAS
CAMPEN MD & ASSOCIATES, PLLC and
M&D OPTICAL FRANCHISE, LLC,

Defendants.

Case No.: 9:18-cv-80670-RLR

(As consolidated with and including
prior Case No.: 9:18-cv-80023-RLR)

**PLAINTIFF 20/20 VISION CENTER, LLC'S NOTICE OF APPEAL
TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

NOTICE IS HEREBY GIVEN that Plaintiff 20/20 Vision Center, LLC ("20/20 Vision") hereby appeals to the United States Court of Appeals for the Federal Circuit from the district court's January 14, 2019 Consent Judgment entering final judgment of non-infringement of U.S. Patent No. 9,230,062 (DE 95) (attached hereto as Exhibit 1), which was made final and certified for immediate appeal under Rule 58 of the Federal Rules of Civil Procedure and further expressly preserved 20/20 Vision's right of appeal with respect to the entry of final judgment of non-infringement; the district court's November 6, 2018 Order Construing Disputed Claim Terms (DE 87) (attached hereto as Exhibit 2); all interlocutory or other orders, findings, rulings, conclusions, determinations, and opinions leading to either of the foregoing, merged therein, or otherwise subsidiary, ancillary, pertaining, or relating thereto, including, without limitation, the district court's November 29, 2018 Order Staying Case and Directing the Clerk of the Court to Close this Case for Statistical Purposes (DE 89); and any

other rulings, decisions, orders, judgments, findings and/or conclusions entered in this lawsuit inconsistent with 20/20 Vision's claim of infringement of U.S. Patent No. 9,230,062.

With this notice, Plaintiff 20/20 Vision provides payment to the district clerk in the amount of \$505.00 for the \$500.00 fee for docketing this Notice of Appeal and the \$5.00 fee for the certified copy of the docket, as required by Rule 3 of the Federal Rules of Appellate Procedure and 28 U.S.C. §§ 1913 and 1917.

Dated: January 28, 2019.

Respectfully submitted,

/s/ Joseph J. Richetti

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Counsel for Plaintiff

20/20 Vision Center, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on January 28, 2019, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will serve a notice of electronic filing on all counsel or parties of record on the Service List below.

/s/ Taylor F. Ford

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