

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

ETHICON ENDO-SURGERY, INC. and ETHICON
ENDO-SURGERY, LLC,

Plaintiffs and Counterclaim-Defendants,

v.

COVIDIEN LP, COVIDIEN SALES LLC, and
COVIDIEN AG,

Defendants and Counterclaim-Plaintiffs.

Civil Action No.: 1:16-cv-12556-LTS

NOTICE OF CROSS-APPEAL

Notice is hereby given that Plaintiffs and Counterclaim-Defendants Ethicon Endo-Surgery, Inc. and Ethicon Endo-Surgery LLC appeal to the U.S. Court of Appeals for the Federal Circuit from portions of the Corrected Final Judgment entered in this action on July 17, 2020 (Dkt. No. 285) and (to any extent it is not entirely superseded by the Corrected Final Judgment) from the Final Judgment entered in this action on June 19, 2020 (Dkt. No. 282), and from all other orders, opinions, decisions, and rulings in this action to the extent they concern the validity of U.S. Patent Nos. 8,323,310 or 9,241,759.

Defendants and Counterclaim-Plaintiffs Covidien LP, Covidien Sales LLC, and Covidien AG's filed a Notice of Appeal in this action on July 17, 2020 (Dkt. No. 286), and assigned U.S. Court of Appeals for the Federal Circuit docket number 20-2077. This notice of cross-appeal is timely under Federal Rule of Appellate Procedure 4(a)(3).

Payment of the filing fee (\$5.00) and docketing fee (\$500.00) as required by 28 U.S.C. § 1917 and Federal Circuit Rule 52(a)(3)(A), and Federal Rule of Appellate Procedure 3(e), is made concurrent with this Notice.

A copy of the Corrected Final Judgment is attached as Exhibit A to this Notice of Cross-Appeal.

Respectfully submitted,

Dated: July 30, 2020

/s/ Jeffrey S. Ginsberg
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CERTIFICATE OF SERVICE

I certify that on July 30, 2020, this document was filed through the ECF system, thereby transmitting it electronically to the counsel who are registered participants as identified on the Notice of Electronic Filing.

/s/ Jeffrey S. Ginsberg
Jeffrey S. Ginsberg