

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

STEUBEN FOODS, INC.,

Plaintiff,

v.

1:13-cv-00892-EAW-JJM

NESTLÉ USA, INC.,

Defendants.

NOTICE OF APPEAL

Notice is hereby given that Plaintiff Steuben Foods, Inc. appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment of Non-Infringement entered in this action on April 2, 2021 (Dkt. 470) pursuant to the parties' Joint Stipulation for Entry of Final Judgment of Non-Infringement as to U.S. Patent Nos. 6,945,013, 6,536,188, and 6,481,468 (Dkt. 469), which Final Judgment is based on the Court's Decision and Order entered on February 18, 2021 (Dkt. 462), and any other ruling adverse to Plaintiff that is ancillary to, or subsumed in, the Court's February 18, 2021 Decision and Order and Final Judgment.

DATED: April 27, 2021

Respectfully Submitted,

/s/ W. Cook Alciati

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