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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10  
11 AMERANTH, INC.  
12 Plaintiff  
13 v.  
14 HILTON RESORTS CORP.,  
HILTON WORLDWIDE, INC., AND  
15 HILTON INT’L CO.  
16 Defendant.

**Consolidated Case No. 12-cv-1636**  
**Lead Case No. 11-cv-1810 DMS-WVG**

**AMERANTH, INC.’S AMENDED**  
**NOTICE OF APPEAL**

Location: Courtroom 13A  
Judge: Hon. Dana M. Sabraw

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1 Plaintiff Ameranth, Inc. (“Ameranth”) hereby appeals to the United States  
 2 Court of Appeals for the Federal Circuit from the following: (1) Judgment  
 3 entered May 11, 2022 (Doc. No. 55), (2) Order Granting Claim 4/5 Defendants’  
 4 Motion for Summary Judgment of Unpatentability of Claims 4 and 5 (Case No.  
 5 11-cv-1810-DMS-WVG, Doc. No. 1551) (“MSJ Order”), which found claims 4  
 6 and 5 of U.S. Patent No. 8,146,077 ineligible under 35 U.S.C. § 101, (3) any  
 7 opinions, orders, findings or rulings upon which the MSJ Order (Case No. 11-cv-  
 8 1810-DMS-WVG, Doc. No. 1551) is based, including, but not limited to, Order  
 9 on Ameranth's Request to Reopen Litigation on Additional Patent Claims, and  
 10 Setting Briefing Schedule on Claims 4 and 5 (Case No. 11-cv-1810-DMS-WVG,  
 11 Doc. No. 1512), which denied Ameranth the ability to reassert patent claims that  
 12 had not been formally withdrawn or to assert claims that had not been previously  
 13 asserted, and (4) any opinions, orders, findings or rulings after the MSJ Order  
 14 (Case No. 11-cv-1810-DMS-WVG, Doc. No. 1551) that were adverse to  
 15 Ameranth.

16 Dated: May 20, 2022

CALDARELLI HEJMANOWSKI & PAGE LLP

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18 By: /s/ William J. Caldarelli

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