

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

RASMUSSEN INSTRUMENTS, LLC,

Plaintiff,

v.

DEPUY SYNTHES PRODUCTS, INC.,
DEPUY SYNTHES SALES, INC., AND
MEDICAL DEVICE BUSINESS
SERVICES, INC.,

Defendants.

C.A. No. 1:20-CV-11807-TSH

**PLAINTIFF RASMUSSEN INSTRUMENTS, LLC'S
NOTICE OF CROSS-APPEAL**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Appellate Procedure 4(a), Plaintiff Rasmussen Instruments, LLC (“Rasmussen”) cross-appeals to the United States Court of Appeals for the Federal Circuit from the March 30, 2023 Order on Post-Trial Motions (D.I. 331) and the September 8, 2023 judgment (D.I. 346) denying Plaintiffs’ motion for judgment as a matter of law and motion for a new trial regarding non-infringement of claims 1, 3, 7, and 12 of U.S. Patent 10,517,583 and denying Plaintiffs’ requests for enhancement of damages, attorneys’ fees and costs, and a declaration that this case is exceptional under 35 U.S.C. § 285, and all preceding or subsidiary decisions, all subsequent and related rulings, and all interlocutory orders that gave rise to those orders or were otherwise resolved adversely to Rasmussen.

Included herewith is payment of the filing fees.

Dated: September 26, 2023

Respectfully submitted,

By: /s/ Kurt L. Glitzenstein

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CERTIFICATE OF SERVICE

The undersigned certifies that on September 26, 2023, the foregoing was filed through the Court's ECF system and will be sent electronically to the registered participants.

/s/ Kurt L. Glitzenstein _____

Kurt L. Glitzenstein