

Todd E. Zenger (5238)
Dax D. Anderson (10168)
KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Phone: (801) 328-3600
Fax: (801) 321-4893
Email: tzenger@kmclaw.com
Email: danderson@kmclaw.com

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

ANDERSEN MANUFACTURING , INC., an Idaho Corporation	Civil Action No.: 2:05 CV 00923 DB
Plaintiff,	Judge Dee Benson
vs.	NOTICE OF APPEAL
DIVERSI-TECH, CORP., a Utah Corporation,	
Defendant.	

Notice is hereby given that Andersen Manufacturing, Inc., Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the Federal Circuit from the Memorandum Decision and Order Denying Plaintiff's Motion for Preliminary Injunction, dated July 2, 2007, document no. 82. (Attached at Ex. 1).

DATED this 27th day of July, 2007.

KIRTON & McCONKIE

By: s/Todd E. Zenger
Todd E. Zenger
Dax D. Anderson

Attorneys for Plaintiff
ANDERSEN MANUFACTURING, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of July, 2007, the foregoing NOTICE OF APPEAL was electronically filed with the Clerk of the Court, District of Utah, using the EC/CMF system, which sent notification of such filing to the following:

Mary Anne Q. Wood
WOOD CRAPO, LLC
500 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

Brian C. Kunzler
David J. McKenzie
Alan L. Edwards
Kunzler & McKenzie
8 East Broadway, Suite 600
Salt Lake City, Utah 84111

s/Margaret L. Carlson