

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

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LEARNING CURVE BRANDS, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 3:09-cv-416
	:	
MUNCHKIN, INC.,	:	Jury Trial Demanded
	:	
Defendant.	:	
	:	
-----	X	

NOTICE OF APPEAL

Notice is hereby given that plaintiff Learning Curve Brands, Inc. hereby appeals to the United States Circuit Court for the Federal Circuit from the final judgment entered in this action on October 1, 2010 (Docket No. (“Dkt. #”) 164), the order dated September 29, 2010 granting summary judgment of no infringement (Dkt. # 163), and the claim construction order dated March 22, 2010 (Dkt. # 37).

Dated: October 15, 2010

s/ Marshall J. Schmitt

Marshall J. Schmitt

mjschmitt@michaelbest.com

Gilberto E. Espinoza

geespinoza@michaelbest.com

MICHAEL BEST & FRIEDRICH LLP

Two Prudential Plaza

180 North Stetson Avenue, Suite 2000

Chicago, Illinois 60601

Telephone: 312.222.0800

Christopher C. Davis

ccdavis@michaelbest.com

MICHAEL BEST & FRIEDRICH LLP

One South Pinckney Street, Suite 700

P.O. Box 1806

Madison, WI 53701-1806

Telephone: 608.257.3501

Facsimile: 608.283.2275

Counsel for Learning Curve Brands, Inc.

CERTIFICATE OF SERVICE

I, Marshall J. Schmitt, hereby certify that a copy of the foregoing Notice of Appeal was filed electronically with the Court's ECF system, which caused a copy of the Notice of Appeal to be served electronically on counsel for defendant Munchkin, Inc.

Dated: October 15, 2010

/s/ Marshall J. Schmitt

Marshall J. Schmitt