

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**ATLANTIC RESEARCH
MARKETING SYSTEMS, INC. ,**

Plaintiff,

v.

**STEPHEN P. TROY, JR. and
TROY INDUSTRIES, INC.,**

Defendants.

Civil Action No. 07-11576 (PBS)

NOTICE OF APPEAL

Pursuant to Fed. R. App. P. 3 and 28 U.S.C. § 1291, notice is hereby given that plaintiff, Atlantic Research Marketing Systems, Inc. (“A.R.M.S.”), appeals to the United States Court of Appeals for the Federal Circuit from this Court’s: Final Judgment (Dkt. No. 276); Memorandum and Order granting summary judgment of invalidity of claims 31-36 of U.S. Patent Re. 39,465 (Dkt. No. 260); Electronic Order dated August 30, 2010 denying A.R.M.S.’s motion for permanent injunction; Findings of Fact and Conclusions of Law denying A.R.M.S. additional and increased damages and further denying injunctive relief (Dkt. No. 259); Electronic Order dated June 25, 2009 granting in part defendants’ Motion for Judgment as a Matter of Law; Electronic Order dated June 2, 2009 granting defendants’ Motion *In Limine* to Exclude Testimony on the Contempt Action Against Samson Mfg. Corp.; Electronic Order dated June 2, 2009 denying

A.R.M.S.'s Motion *In Limine* to Preclude Defendants from referencing U.S. Patent No. 7,216,451; Electronic Order dated June 2, 2009 granting defendants' Motion *In Limine* to Exclude Testimony on the Existence of Patent Infringement Claims; Memorandum and Order construing patent claim terms (Dkt. No. 109); and any and all other orders, rulings, findings, and/or conclusions of the Court adverse to A.R.M.S.

**ATLANTIC RESEARCH MARKETING
SYSTEMS, INC.,**

Date: September 28, 2010

By: /s/ Paul J. Cronin
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CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2010, a true copy of the foregoing document was filed through the ECF system and will be sent electronically to the registered counsel as identified on the Notice of Electronic Filing (NEF):

_____/s/ Paul J. Cronin

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