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Attorney for Plaintiff,
Trivitis, Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(SAN DIEGO)**

TRIVITIS, INC.) CASE NO.: 10CV0316 JM MDD
)
Plaintiff,)
)
v.) **TRIVITIS' NOTICE OF APPEAL**
)
)
OCEAN SPRAY CRANBERRIES, INC.)
)
Defendant.)

Notice is hereby given that pursuant to 28 U.S.C. § 1295(a)(1) and Fed. R. App. P. 4(a), Plaintiff, Trivitis, Inc. (“Trivitis”), hereby appeals to the **United States Court of Appeals for the Federal Circuit** from the District Court’s Judgment signed May 29, 2012, and entered May 30, 2012, (Doc. No. 52), (the “Judgment”), and from all decisions, orders and rulings related to, supporting and/or otherwise incorporated in the District Court’s Judgment, including without limitation, those related to liability, claim construction, infringement and non-infringement, validity

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and invalidity, unenforceability, damages and interest, post-judgment accounting and royalty payments, discovery, evidence, costs and attorneys' fees.

Respectfully Submitted,

POLSTER, LIEDER WOODRUFF & LUCCHESI, L.C.

By: s/ Douglas D. Churovich

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CERTIFICATE OF SERVICE

I, hereby certify that the following parties in this matter are e-filers:

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And have agreed to accept service of the following court-filed documents via the Court's CM/ECF system:

TRIVITIS' NOTICE OF APPEAL

I declare under penalty of perjury under the laws of the United States that the above is true and correct. Executed this 28th day of June, 2012 in St. Louis, MO.

s/ Marisa Lucchesi
Marisa Lucchesi- *paralegal for Plaintiff*