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**JUN 06 2011**

**U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS**

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
ST. LOUIS DIVISION**

**FURMINATOR, INC. )  
(f/k/a F/M ACQUISITION CORP.) )**

**Plaintiff, )**

**v. )**

**CASE NO. 4:08-cv-00367-ERW**

**KIM LAUBE & Co., INC. )**

**Defendant. )**

**NOTICE OF APPEAL**

Defendant Kim Laube & Co, Inc ("KL&C") hereby files its Notice of Appeal pursuant to Federal Rules of Appellate Procedure 3 and 4(a). Please take notice that, in addition to the already pending appeal from earlier orders in this case, KL&C desires to appeal to the United States Court of Appeals for the Federal Circuit from the district court's judgment signed and dated May 23, 2011 (Dkt 481).

Dated: June 3, 2011

Respectfully submitted,

/s/Kent A. Rowald/s/\_\_\_\_\_.

Kent A. Rowald

State Bar No. 17329300

LAW OFFICES OF KENT A. ROWALD, P.C.

990 Village Square Dr., Suite G200

Tomball, Texas 77375

Telephone: (281) 516-3844

Facsimile: (281) 516-3845

krowald@patentlawyers.com

**ATTORNEYS FOR DEFENDANT,  
KIM LAUBE & CO., INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on counsel for Furmimator, Inc. through counsel of record Alan H. Norman, Steven E. Garlock, David B. Jenkins, Matthew A. Braunel, Jonathan G. Musch, and Fredericka B. Jura, **Thompson Coburn LLP**, One US Bank Plaza, St. Louis, MO 63101 via facsimile, and/or prepaid first class mail, and/or electronic mail and/or in accordance with the Electronic Court filing system guidelines on June 3, 2011

/s/ Kent A. Rowald /s/  
Kent A. Rowald