

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

DOUGLAS DYNAMICS, LLC,	)	
	)	
Plaintiff	)	
	)	
v.	)	CIVIL ACTION NO. 3:09-cv-00261
	)	
BUYERS PRODUCTS COMPANY,	)	
	)	
Defendant	)	

**DEFENDANT BUYERS PRODUCTS COMPANY’S  
NOTICE OF APPEAL**

Notice is given that Defendant Buyers Products Company in the above named case appeals to the United States Court of Appeals for the Federal Circuit from portions of the Judgment entered September 28, 2011 (Docket No. 549). Specifically, Defendant Buyers Products Company appeals the following portions of the Judgment and all rulings, decisions, and/or orders of the Court and/or Jury associated therewith including but not limited to the March 2, 2010 Claim Construction Order (Dkt. # 91), October 1, 2010 Opinion and Order on Infringement (Dkt. # 332), and October 6, 2010 Summary Judgment Opinion and Order on Invalidity (Dkt. # 445):

(1) Defendant Buyers Products Company’s snowplow assemblies, MD series, HD/EX series, VX series, CM series, XP series, and TE series directly infringe claims 1, 3-5, and 7 of U.S. Patent No. 5,353,530 (the ‘530 patent) and claims 28-31, 35-36, and 53-57 of U.S. Patent No. 6,994,978 (the ‘978 patent); and contributorily infringe and induce infringement of claims 58 and 59 of the ‘978 patent.

(2) The ‘530 patent and the ‘978 patent are not invalid.

(3) The award of damages in the amount of \$1,018,248 for pre-verdict infringement together with a royalty of 6.225% of the wholesale snowplow assembly price for any infringing snowplow assemblies sold after the verdict and until the infringed patents expire.

Respectfully submitted,

s/ Todd R. Tucker

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**CERTIFICATE OF SERVICE**

A copy of the foregoing was electronically filed with the court this 27<sup>th</sup> day of October, 2011. Notice of this filing will be sent by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Todd R. Tucker  
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Attorney for Defendant