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Attorneys for Defendant Athena Cosmetics, Inc.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

ALLERGAN, INC., ET AL.,

Plaintiffs,

v.

ATHENA COSMETICS, INC., ET AL.,

Defendants.

AND RELATED COUNTERCLAIMS

Lead Case:

Case No. SACV07-01316 JVS (RNBx)

Consolidated with:

Case No. SACV09-0328 JVS (RNBx)

NOTICE OF APPEAL

HON. JAMES V. SELNA

1 Defendant Athena Cosmetics, Inc. (“Athena”) hereby appeals to the United
2 States Court of Appeals for the Federal Circuit from the Final Judgment on Plaintiff
3 Allergan’s Fourth Claim for Relief that the Court directed be entered pursuant to
4 Fed. R. Civ. P. 54(b) on March 22, 2013 (Dkt. No. 1070), and from any and all other
5 orders, rulings, findings, and/or conclusions merged into that judgment and decided
6 adversely to Athena (in whole or in part) including, but not limited to, the May 16,
7 2012 Order (Dkt. No. 685), the July 19, 2012 Order (Dkt. No. 711), the October 11,
8 2012 Order (Dkt. No. 784), and the March 6, 2013 Order (Dkt. No. 1061).

9 Submitted herewith is payment of the \$5 filing fee required by 28 U.S.C. §
10 1917, and the \$450 docketing fee required by Federal Circuit Rule 52(a)(3)(A), paid
11 to this Court pursuant to Federal Rule of Appellate Procedure 3(e) and Federal
12 Circuit Rule 52(a)(2).

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1 Dated: March 25, 2013

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2 By: /s/Stephen P. Benson

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