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Additional counsel for Plaintiff listed below

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

**IN RE: AMERANTH PATENT  
LITIGATION**

**Case No. 12-cv-0733 DMS (WVG)  
(Consolidated with Lead Case  
No. 11-cv-1810 DMS (WVG))**

**AMERANTH, INC.'S  
NOTICE OF APPEAL**

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2

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1 Plaintiff Ameranth, Inc. hereby appeals to the United States Court of Appeals  
 2 for the Federal Circuit from the following: (1) the Judgment entered October 11,  
 3 2018 (Doc. No. 66 in Case No. 12-cv-0733 DMS-WVG), which granted Defendants  
 4 Domino's Pizza, LLC and Domino's Pizza, Inc.'s Motion for Summary Judgment of  
 5 Unpatentability under Section 101 (Doc. No. 1120 in Lead Case No. 11-cv-1810  
 6 DMS-WVG), and which found claims 1, 4-9, 11, 13-18 of U.S. Patent No. 8,146,077  
 7 invalid under 35 U.S.C. § 101; (2) the Order Granting Defendants Domino's Pizza,  
 8 LLC and Domino's Pizza, Inc.'s Motion For Summary Judgment Of Unpatentability  
 9 (Doc. No. 1395 in Lead Case No. 11-cv-1810 DMS-WVG)<sup>1</sup>, which is cross-  
 10 referenced in the Judgment entered October 11, 2018 (Doc. No. 66 in Case No. 12-  
 11 cv-0733 DMS-WVG); and (3) any and all other opinions, orders, findings, or rulings  
 12 prior to, concurrent with, or after the October 11, 2018 dismissal of the case against  
 13 Defendants Domino's Pizza, LLC and Domino's Pizza, Inc. adverse to Plaintiff  
 14 Ameranth, Inc.

15 Dated: October 25, 2018 CALDARELLI HEJMANOWSKI PAGE & LEER LLP

16 By: /s/ William J. Caldarelli  
 17 William J. Caldarelli  
 18 Ben West  
 19 Lee Hejmanowski  
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 21 FABIANO LAW FIRM, P.C.  
 22 Michael D. Fabiano

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 28 <sup>1</sup> Case No. 12-cv-0733 DMS-WVG was consolidated into Case No. 11-cv-1810 DMS-WVG on October 4, 2012. (Doc. No. 41 in Case No. 12-cv-0733 DMS-WVG.)

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 25, 2018, I electronically filed the above document(s) with the Clerk of the Court using CM/ECF which will send electronic notification of such filing(s) to all registered counsel.

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