

**UNITED STATES DISTRICT COURT
NORTHWESTERN DIVISION
DISTRICT OF NORTH DAKOTA**

ENERGY HEATING, LLC, and ROCKY
MOUNTAIN OILFIELD SERVICES,
LLC,

Plaintiffs and
Counterclaim Defendants,

v.

HEAT ON-THE-FLY, LLC, and SUPER
HEATERS NORTH DAKOTA, LLC
Defendants,

and

HEAT ON-THE-FLY, LLC,
Counterclaimant.

HEAT ON-THE-FLY, LLC,
Third-Party Plaintiff /
Counterclaim Defendant,

v.

MARATHON OIL CORPORATION, and
MARATHON OIL COMPANY
Third Party Defendant.

No. 4:13-cv-00010-RRE-ARS

**DEFENDANTS' NOTICE OF
APPEAL TO THE UNITED STATES
COURT APPEALS FOR THE
FEDERAL CIRCUIT**

Defendants Heat On-the-Fly, LLC, and Super Heaters North Dakota, LLC, hereby give notice in the above-captioned case that they hereby appeal to the United States Court of Appeals for the Federal Circuit from the Clerk's Judgment entered on April 1, 2015 (Dkt. No. 359), and all orders subsumed therein, including but not limited to the District Court's Order granting in part and denying in part Plaintiffs' motion for summary judgment (Dkt. No. 102), the District Court's Order on claim construction (Dkt. No. 202), and the District Court's Order granting Plaintiff's motion for summary judgment of invalidity (Dkt. No. 358).

Dated: April 7, 2015

By: s/Paul J. Robbennolt

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CERTIFICATE OF SERVICE

I hereby certify that on this date the following document:

DEFENDANTS' NOTICE OF APPEAL

Was filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to the following attorneys. In addition, this motion and the attachments was served on the following attorneys via e-mail:

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DATED this 7th day of April, 2015.

s/Paul J. Robbennolt

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