

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

| | | |
|-----------------------------|---|----------------------------|
| Exergen Corporation, |) | |
| |) | |
| Plaintiff/Counter Defendant |) | |
| |) | |
| v. |) | |
| |) | Case No. 1:13-cv-10628-RGS |
| KAZ USA, Inc., |) | |
| |) | |
| Defendant/Counter Claimant |) | |
| |) | |

NOTICE OF APPEAL

Notice is hereby given that Kaz USA, Inc., Defendant/Counter Claimant in the above named case, hereby appeals to the United States Court of Appeals for the Federal Circuit from (1) the final judgment entered in this action on June 8, 2016 (ECF No. 445); (2) the since-amended judgment entered on March 28, 2016 (ECF No. 396); and (3) each and every interlocutory order, judgment, or ruling that merged into either or both of the June 8 and March 28 judgments (including, but not limited to, the orders denying Kaz's post-judgment motions (ECF Nos. 440, 441, 442, 443) and the order granting Exergen's post-judgment motion in part (ECF No. 439)).

Date: July 6, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 6th day of July, 2016.

/s/ Kirt S. O'Neill

Kirt S. O'Neill