

1 Adam Garson (Bar No. 240440)  
adam.garson@gazpat.com  
2 **GAZDZINSKI & ASSOCIATES, PC**  
750 B Street, Suite 1600  
3 San Diego, CA 92101  
Telephone: (858) 675-1670  
4 Facsimile: (858) 675-1674

5 Attorneys for Plaintiff  
6 WEST VIEW RESEARCH, LLC

7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10  
11 WEST VIEW RESEARCH, LLC, a  
California corporation,

12 Plaintiff,

13 v.

14 AUDI AG, a German corporation;  
15 VOLKSWAGEN AG, a German  
corporation; and VOLKSWAGEN  
16 GROUP OF AMERICA, INC. d/b/a  
AUDI OF AMERICA, INC., a New  
17 Jersey corporation,

18 Defendants.

19 And Related Counterclaim.  
20

CASE NO.: 14-CV-2668 CAB WVG

**NOTICE OF APPEAL**

JURY TRIAL DEMANDED

Judge: Hon. Cathy Ann Bencivengo  
Ctm: 4C

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT Plaintiff West View Research, LLC hereby  
3 appeals to the United States Court of Appeals for the Federal Circuit from the  
4 Judgment entered on March 31, 2016 (Dkt. No. #89), based upon the Order entered  
5 in this action on March 31, 2016 (Dkt. No. #88) (including the court's adoption of  
6 the December 11, 2015 Order granting judgment on the pleadings [Doc. No. 58 in  
7 Case No. 14cv2679]) and from all orders, opinions, decisions, and rulings adverse  
8 to Plaintiff or in favor of Defendants prior to the entry of Judgment.

9  
10  
11 Respectfully submitted,

12 Dated: April 29, 2016

GAZDZINSKI & ASSOCIATES, PC

13 /s/ Adam Garson

14 By: Adam Garson

Attorneys for Plaintiff

adam.garson@gazpat.com

15 WEST VIEW RESEARCH, LLC  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 Adam Garson (Bar No. 240440)  
adam.garson@gazpat.com  
2 **GAZDZINSKI & ASSOCIATES, PC**  
750 B Street, Suite 1600  
3 San Diego, CA 92101  
Telephone: (858) 675-1670  
4 Facsimile: (858) 675-1674

5 Attorneys for Plaintiff  
6 WEST VIEW RESEARCH, LLC

7  
8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10  
11 WEST VIEW RESEARCH, LLC, a  
California corporation,

12 Plaintiff,

13 v.

14 AUDI AG, a German corporation;  
15 VOLKSWAGEN AG, a German  
corporation; and VOLKSWAGEN  
16 GROUP OF AMERICA, INC. d/b/a  
AUDI OF AMERICA, INC., a New  
17 Jersey corporation,

Defendants.

18 And Related Counterclaim.

CASE NO. 14-CV-2668 CAB WVG

**PROOF OF SERVICE**

Judge: Hon. Cathy Ann Bencivengo  
Ctrm: 4C

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
PROOF OF SERVICE

**PROOF OF SERVICE**

I am a citizen of the United States and a resident of or employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is 16644 West Bernardo Dr., Suite 201, San Diego, California 92127. On April 29, 2016, I served the following document(s) described as:

**NOTICE OF APPEAL**

on the parties or attorneys for parties in this action who are identified on the attached service list, using the following means of service. (If more than one means of service is checked, the means of service used for each party is indicated on the attached service list.)

- BY REGULAR MAIL.** I caused such envelopes to be deposited in the United States mail, at San Diego, California with postage thereon fully prepaid, individually addressed to the parties as indicated on the attached service list. I am readily familiar with the firm's practice of collection and processing correspondence in mailing. It is deposited with the United States postal service each day and that practice was followed in the ordinary course of business for the service herein attested to. (C.C.P. § 1013(a)(3))
- BY CM/ECF.** I caused a true copy of the foregoing document(s) to be transmitted to each of the parties on the attached service list by transmitting via e-filing the document(s) listed above to the Case Management/Electronic Filing System.
- BY FEDERAL EXPRESS.** I deposited such document(s) in a box or other facility regularly maintained by Federal Express or delivered such document(s) to a courier or driver authorized by Federal Express to receive documents, in an envelope or package designated by Federal Express with delivery fees paid or provided for to the addressees on the attached service list.
- BY PERSONAL SERVICE.** I caused such envelope(s) to be delivered by hand to the addressees.
- BY ELECTRONIC MAIL.** I caused a true copy of the foregoing document to be sent via electronic mail in .pdf format, to the individual(s) listed on the attached service list.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 29, 2016, at San Diego, California.

  
CHRISSIE MCGAW

PROOF OF SERVICE

3:14-CV-2668-CAB-WVG

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SERVICE LIST**

Susan Smith Kenyon & Kenyon LLP 1500 K Street, N.W., Suite 700 Washington, DC 20005 Tel: 202-220-4321 Email: ssmith@kenyon.com	Attorneys for Defendants AUDI AG, VOLKSWAGEN AG, and VOLKSWAGEN GROUP OF AMERICA, INC. d/b/a AUDI OF AMERICA, INC.
Michael N. Zachary Kenyon & Kenyon LLP 1801 Page Mill Road. Suite 210 Palo Alto, CA 94304-1216 Tel: (650) 384-4700 Email: mzachary@kenyon.com	
Michael J. Lennon Kenyon & Kenyon LLP One Broadway New York, NY 10004 Tel: 212-908-6439 mlennon@kenyon.com	

PROOF OF SERVICE

3:14-cv-02668-CAB-WVG