

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**NOTICE OF DOCKETING****16-1947 - West View Research, LLC v. Audi AG**

Date of docketing: May 2, 2016

Appeal from: United States District Court for the Southern District of California case no. 3:14-cv-02668-CAB-WVG

Appellant(s): West View Research, LLC

Critical dates include:

- Date of docketing. See Fed. Cir. R. 12.
- Entry of appearance. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.3.
- Certificate of interest. (*Due within 14 days of the date of docketing.*) See Fed. Cir. R. 47.4.
- Docketing Statement. (*Due within 14 days of the date of docketing or within 30 days if the United States or its officer or agency is a party in the appeal.*) [Only in cases where all parties are represented by counsel. See Fed. Cir. R. 33.1 and the mediation guidelines available at www.cafc.uscourts.gov.]
- Requests for extensions of time. See Fed. Cir. R. 26 and 27. **N.B. Delayed requests are not favored by the court.**
- Briefs. See Fed. Cir. R. 31. **N.B. You will not receive a separate briefing schedule from the Clerk's Office.** However, in a case involving an appellant, a cross-appellant, and an appellee, a special briefing schedule is used. The appellant's opening brief is due within 60 days of the date of docketing. The cross-appellant's opening brief is due within 40 days of filing of the appellant's opening brief. The appellee's brief is due within 40 days of filing of the cross-appellant's brief. The appellant's response/reply brief is due within 40 days of filing of the appellee's brief. The cross-appellant's reply brief is due within 14 days of filing of the appellant's response/reply brief. The joint appendix is due within 10 days of filing of the cross-appellant's reply brief.
- Settlement discussions. See Fed. Cir. R. 33.
- **ORAL ARGUMENT SCHEDULE CONFLICTS:** Counsel should advise the clerk in writing within 30 days once briefing is completed of potential scheduling conflicts or as soon as they are known and should not wait until an actual conflict arises. Once scheduled, a case will not be postponed except on motion showing **compelling reasons**. See Practice Note following Fed. Cir. R. 34.

The official caption is reflected on the electronic docket under the listing of the parties and counsel. The Rules of Practice and required forms are available at www.cafc.uscourts.gov.

Daniel E. O'Toole
Clerk of Court

cc: United States District Court for the Southern District of California
Adam Spencer Garson
Michael Lennon

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5 Attorneys for Plaintiff
 6 WEST VIEW RESEARCH, LLC

8 UNITED STATES DISTRICT COURT
 9 SOUTHERN DISTRICT OF CALIFORNIA

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.

CASE NO.: 14-CV-2668 CAB WVG

NOTICE OF APPEAL

JURY TRIAL DEMANDED

Judge: Hon. Cathy Ann Bencivengo
 Ctrm: 4C

19 And Related Counterclaim.

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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.

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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

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16 WEST VIEW RESEARCH, LLC
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 11 WEST VIEW RESEARCH, LLC, a
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18 And Related Counterclaim.

CASE NO. 14-CV-2668 CAB WVG

PROOF OF SERVICE

Judge: Hon. Cathy Ann Bencivengo
 Ctrm: 4C

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 PROOF OF SERVICE

14-CV-2668-CAB-WVG

1 **PROOF OF SERVICE**

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

7 **NOTICE OF APPEAL**

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

- 12 **BY REGULAR MAIL.** I caused such envelopes to be deposited in the
13 United States mail, at San Diego, California with postage thereon fully
14 prepaid, individually addressed to the parties as indicated on the attached
15 service list. I am readily familiar with the firm's practice of collection and
16 processing correspondence in mailing. It is deposited with the United States
17 postal service each day and that practice was followed in the ordinary course
18 of business for the service herein attested to. (C.C.P. § 1013(a)(3))
- 19 **BY CM/ECF.** I caused a true copy of the foregoing document(s) to be
20 transmitted to each of the parties on the attached service list by transmitting
21 via e-filing the document(s) listed above to the Case Management/Electronic
22 Filing System.
- 23 **BY FEDERAL EXPRESS.** I deposited such document(s) in a box or other
24 facility regularly maintained by Federal Express or delivered such
25 document(s) to a courier or driver authorized by Federal Express to receive
26 documents, in an envelope or package designated by Federal Express with
27 delivery fees paid or provided for to the addressees on the attached service
28 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

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