

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MINNESOTA

File No. 09-36 (MJD/SRN)

Wind Turbine Industries Corp.,

Plaintiff-Appellee,

v.

Jacobs Wind Electric Company, Inc.,

Defendant-Appellant.

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Jacobs Wind Electric Company, Inc., the Defendant in the above case, hereby appeals to the United States Court of Appeals for the Eighth Circuit from the interlocutory order entered November 16, 2010 denying the Defendant's Motion for Injunction and Summary Judgment on its Counterclaim for Declaratory Judgment and to Quiet Title and granting the Plaintiff's Motion for Partial Summary Judgment granting priority to the mark JACOBS since 1979, cancelling the Defendant's registered trademark U.S. Reg. No. 1,532,714 and directing the Patent and Trademark Office to refuse Defendant's application for registration of JACOBS in U.S. Trademark App. No. 76/677,473.

Dated this 3rd day of December, 2010.

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