

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC

Plaintiff,

v.

1-800-FLOWERS.COM INC. et al.,

Defendants.

C.A. No. 11-cv-248-JRG

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**NOTICE OF APPEAL**

Notice is hereby given that TQP Development LLC (“TQP”), Plaintiff in the above captioned case, appeals to the United States Court of Appeals for the Federal Circuit from all opinions, orders and rulings decided adversely to TQP concerning Defendant Newegg Inc.’s Rule 50(b) Motion for Judgment as a Matter of Law (Dkt. No. 436), including the Court’s Order entered on July 15, 2015 (Dkt. No. 461), all underlying decisions, orders, and rulings intertwined with or that produced that Order, and all subsequent decisions, orders, and rulings adverse to TQP resulting therefrom, including but not limited to the Court’s Order Granting Newegg Inc.’s Motion for Costs entered on October 22, 2015 (Dkt. No. 468).

Dated: November 24, 2015

RUSS AUGUST & KABAT

/s/ Marc A. Fenster

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**CERTIFICATE OF SERVICE**

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served on November 24, 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Marc A. Fenster