

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WPIX, INC., WNET.ORG, AMERICAN  
BROADCASTING COMPANIES, INC., DISNEY  
ENTERPRISES, INC., CBS BROADCASTING INC.,  
CBS STUDIOS INC., THE CW TELEVISION  
STATIONS INC., NBC UNIVERSAL, INC., NBC  
STUDIOS, INC., UNIVERSAL NETWORK  
TELEVISION, LLC, TELEMUNDO NETOWRK  
GROUP LLC, NBC TELEMUNDO LICENSE  
COMPANY, OFFICE OF THE COMMISSIONER OF  
BASEBALL, MLB ADVANCED MEDIA, L.P., COX  
MEDIA GROUP, INC., FISHER BROADCASTING-  
SEATTLE TV, L.L.C., TWENTIETH CENTURY FOX  
FILM CORPORATION, FOX TELEVISION  
STATIONS, INC., TRIBUNE TELEVISION  
HOLDINGS, INC., TRIBUNE TELEVISION  
NORTHWEST, INC., UNIVISION TELEVISION  
GROUP, INC., THE UNIVISION NETWORK  
LIMITED PARTNERSHIP, TELEFUTURA  
NETWORK, WGBH EDUCATIONAL  
FOUNDATION, THIRTEEN, and PUBLIC  
BROADCASTING SERVICE,

Docket No.: 10 Civ. 7415 (NRB)  
ECF CASE

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 28 FEB 2011

NOTICE OF APPEAL

FILED  
CLERK COURT  
2011 FEB 28 AM 9:51  
S.D. OF N.Y.

*Plaintiffs,*

- against -

IVI, INC. and TODD WEAVER,

*Defendants.*

**PLEASE TAKE NOTICE** that IVI, INC. and TODD WEAVER, defendants in the above-named action, hereby appeal to the United States Court of Appeals for the Second Circuit from an order of the Honorable Naomi Reice Buchwald entered in this action on February 22, 2011.

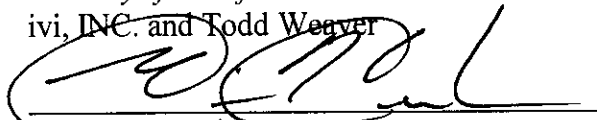
ORIGINAL

FEB 28 2011

Handwritten signature/initials and number 9306823

Dated: February 25, 2011  
Union, New Jersey

NISSENBAUM LAW GROUP, LLC  
*Attorneys for Defendants*  
ivi, INC. and Todd Wever



By: Gavin Handwerker (GIH 6191)  
2400 Morris Avenue, 3rd Floor  
Union, New Jersey 07083  
Telephone: (908) 686-8000  
Facsimile: (908) 686-8550  
E-mail: [gih@gdnlaw.com](mailto:gih@gdnlaw.com)

-and-

Lawrence D. Graham  
Ellen M. Bierman  
Black Lowe & Graham, PLLC  
701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
(206) 381-3300  
(206) 381-3301  
[graham@blacklaw.com](mailto:graham@blacklaw.com)  
[bierman@blacklaw.com](mailto:bierman@blacklaw.com)

To: Peter Zimroth, Esq.  
ARNOLD & PORTER, LLP  
*Attorneys for Plaintiffs*  
399 Park Avenue  
New York, New York  
(212) 715-1000

**AFFIRMATION OF SERVICE**

GAVIN I. HANDWERKER, an attorney duly admitted to practice law in the state and federal courts of New York affirms the following to be true under the penalties of perjury:

That on February 25, 2011, I served the within NOTICE OF APPEAL, in the following manner:

- \_\_\_\_\_ By depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and control of the United States Postal Service addressed to each of the persons listed below at the last known address set forth after each name;
- \_\_\_\_\_ By delivering a true copy thereof personally to each person listed below at the address indicated. I knew each person served to be the person mentioned and described in said papers as a party therein, or their attorney authorized to accept service;
- \_\_\_\_\_ By transmitting the papers by electronic means to the telephone/FAX number listed below, which number was designated by the attorney/ party for such purpose. I received a signal from the equipment of the attorney/party served indicating that the transmission was received. I also deposited a true copy of the papers, enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service, addressed to the attorney/party at the address listed below;
- X   By depositing a true copy thereof, enclosed in a wrapper addressed as shown below, into the custody of **A FEDERAL EXPRESS COURIER** for overnight delivery, prior to the latest time designated by that service for overnight delivery;
- X   By delivering a true copy thereof by electronic means to the email address listed below, which said electronic mail address was designated by the attorney/party for such purpose.

**NAMES/ADDRESSES/FAXES OF PARTIES SERVED**

Peter Zimroth, Esq.  
ARNOLD & PORTER, LLP  
*Attorneys for Plaintiffs*  
399 Park Avenue  
New York, New York  
(212) 715-1000

Dated: Union, New Jersey  
February 25, 2011

  
GAVIN I. HANDWERKER (GIH6191)