IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

THOMAS A. SIMONIAN, Plaintiff,) Civil Action No. 1:10-cv-01615
V.) Hon.Virginia M. Kendall
MAYBELLINE LLC,) Jury Demand
Defendant.)
)

NOTICE OF SUPPLEMENTAL AUTHORITY

Thomas A. Simonian, as *qui tam* relator ("Relator"), respectfully submits the attached supplemental authority in support of his Response to the Motion to Dismiss filed by Defendant Maybelline LLC.

With regard to the issue of whether the Relator has standing to bring this false marking claim, the Relator cites the Court to the following decision:

1. The Federal Circuit's opinion in *Stauffer v. Brooks Brothers, Inc. et al.* where the Court held that private non-competing relators like Mr. Simonian have standing to bring false marking claims under 35 U.S.C. §292, attached as **Exhibit A.** ("Because the government would have standing to enforce its own law, Stauffer, as the government's assignee, also has standing to enforce section 292.")

Dated: September 20, 2010

Respectfully submitted,

THOMAS A. SIMONIAN, as Relator

/s/ John Bjork

John Bjork

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on September 20, 2010 a true and correct copy of **RELATOR'S NOTICE OF SUPPLEMENTAL AUTHORITY** was filed electronically with the Clerk of the Court and was served via the Court's CM/ECF System which will automatically provide electronic notice upon all counsel of record.

s/ John Bjorl	ζ
John Bjork	