

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ROSETTA STONE LTD.,)
)
Plaintiff,)
)
vs.)
)
GOOGLE INC.,)
)
Defendant.)

Case No. 1:09-cv-00736 (GBL/TCB)

NOTICE OF APPEAL

Notice is hereby given that Rosetta Stone Ltd., plaintiff in the above named case, hereby appeals to the United States Court of Appeals for the Fourth Circuit from the Final Judgment entered in this action on August 3, 2010, and all other interlocutory orders that gave rise to the Final Judgment including, but not limited to, the Court’s Orders Granting Defendant’s Motions to Dismiss, entered on or about September 21, 2009 and April 28, 2010, and the Court’s Order Granting Defendant’s Motion for Summary Judgment, entered on or about April 28, 2010.

Respectfully submitted,

August 31, 2010
Date

/s/_____
Warren T. Allen II (Va. Bar No. 72691)
Attorney for Rosetta Stone Ltd.
Skadden, Arps, Slate, Meagher & Flom LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005-2111
Telephone: (202) 371-7000
Facsimile: (202) 393-5760
Warren.Allen@skadden.com

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which shall send notification of such filing (NEF) to the following:

Jonathan D. Frieden
ODIN, FELDMAN & PETTLEMAN, P.C.
9302 Lee Highway, Suite 1100
Fairfax, VA 22031
jonathan.frieden@ofplaw.com

Counsel for Defendant, Google Inc.

Respectfully submitted,

August 31, 2010

Date

/s/

Warren T. Allen II (Va. Bar No. 72691)
Attorney for Rosetta Stone Ltd.
Skadden, Arps, Slate, Meagher & Flom LLP
1440 New York Avenue, N.W.
Washington, D.C. 20005-2111
Telephone: (202) 371-7000
Facsimile: (202) 393-5760
Warren.Allen@skadden.com