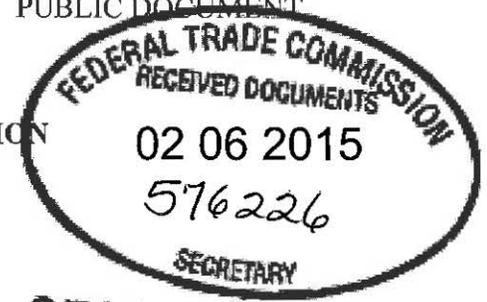


Docket No. 9358

PUBLIC DOCUMENT

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION



COMMISSIONERS: **Edith Ramirez, Chairwoman**
 Julie Brill
 Maureen K. Ohlhausen
 Joshua D. Wright
 Terrell McSweeney

ORIGINAL

In the Matter of

ECM BioFilms, Inc.,
a corporation, also d/b/a
Enviroplastics International,

Respondent.

Docket No. 9358

PUBLIC DOCUMENT

NOTICE OF APPEAL

Pursuant to FTC Rule of Practice § 3.52(b), 16 C.F.R. § 3.52(b), Respondent ECM Biofilms, Inc. ("ECM") hereby provides notice that it objects to, and thus appeals, portions of the Initial Decision and Order issued by the Administrative Law Judge on January 28, 2015 in the above-captioned matter. ECM objects to the limited portions of the Initial Decision concerning any finding or conclusion that ECM violated the Federal Trade Commission Act, 5 U.S.C. § 45. Moreover, ECM objects to all portions of the Initial Decision concerning the imposition of any order for alleged violations of the Federal Trade Commission Act.

To the extent described in its upcoming brief filed under 16 CFR § 3.52(c), ECM objects to certain rulings made before the hearing which affected evidentiary decisions at the hearing and to certain evidentiary rulings made at the hearing that caused hearing testimony and factual findings to be either excluded from evidence or left under-developed in the Initial Decision. ECM objects to the absence of findings related to the certain topics herein above identified.

ECM intends to preserve and advance all arguments presented before the Administrative Law Judge at hearing and through ECM's post-hearing briefs, including ECM's Proposed Findings of Fact and Conclusions of Law, its Post-Hearing Brief, and its Post-Hearing Reply Brief. ECM will file a timely brief perfecting this notice of appeal under 16 CFR § 3.52(b) and (c).

Respectfully submitted,

/s/ Jonathan W. Emord
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Bethany R. Kennedy
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DATED: February 6, 2015

CERTIFICATE OF SERVICE

I hereby certify that this is a true and correct copy of the ECM Notice of Appeal, and that on this February 6, 2015, I caused the foregoing to be served **electronically** to the following:

The Honorable D. Michael Chappell
Administrative Law Judge
600 Pennsylvania Ave., NW
Suite 110
Washington, DC, 20580

Donald Clark
600 Pennsylvania Ave., NW
Suite 172
Washington, DC 20580

I hereby certify that this is a true and correct copy of the ECM Notice of Appeal, and that on this February 06, 2015, I caused the foregoing to be served electronically to the following:

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