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UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS:

Jon Leibowitz, Chairman Pamela Jones Harbour William E. Kovacic J. Thomas Rosch



In the Matter of

POLYPORE INTERNATIONAL, INC., a corporation.

Docket No. 9327

PUBLIC DOCUMENT

RESPONDENT'S REVISED NOTICE OF APPEAL

Pursuant to FTC Rule of Practice § 3.52(a), 16 C.F.R. § 3.52(a), Respondent hereby amends its Notice of Appeal and gives notice that it will appeal, against Complaint Counsel, the following portions of the Initial Decision and Order entered by the Administrative Law Judge in the above captioned proceeding, as well as certain procedural and evidentiary rulings, in the above captioned proceeding:

- 1. All portions relating to Count I of the Complaint in their entirety;
- 2. The portions relating to Count III of the Complaint discussing whether Respondent had monopoly power or a dangerous probability of achieving or maintaining monopoly power in alleged North American deep-cycle, motive and UPS battery separator markets; and
- 3. All portions of the remedy relating to Count I of the Complaint.

Dated: March 15, 2010

Respectfully Submitted,

Willfam L. Rikard, Jr. Eric D. Welsh PARKER POE ADAMS & BERNSTEIN LLP 401 South Tryon Street, Suite 3000 Charlotte, NC 28202 Telephone: (704) 372-9000 Facsimile: (704) 335-9689 williamrikard@parkerpoe.com ericwelsh@parkerpoe.com

John F. Graybeal PARKER POE ADAMS & BERNSTEIN LLP 150 Fayetteville Street Raleigh, NC 27602 Telephone: (919) 835-4599 Facsimile: (919) 828-0564 johngraybeal@parkerpoe.com

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Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2010, I caused to be filed via hand delivery and electronic mail delivery an original and twelve (12) copies of the foregoing **Respondent's Revised Notice of Appeal**, and that the electronic copy is a true and correct copy of the paper original and that a paper copy with an original signature is being filed with:

Donald S. Clark, Secretary Office of the Secretary Federal Trade Commission 600 Pennsylvania Avenue, NW, Rm. H-135 Washington, DC 20580 secretary@ftc.gov

I hereby certify that on March 15, 2010, I caused to be served one copy via electronic mail delivery and two copies via overnight delivery of the foregoing *Respondent's Revised Notice of Appeal* upon:

The Honorable D. Michael Chappell Administrative Law Judge Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 oalj@ftc.gov

I hereby certify that on March 15, 2010, I caused to be served via first-class mail delivery and electronic mail delivery a copy of the foregoing **Respondent's Revised Notice of Appeal** upon:

> J. Robert Robertson, Esq. Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 <u>rrobertson@ftc.gov</u>

Steven Dahm, Esq. Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 sdahm@ftc.gov

Adam C. Shearer Parker Poe Adams & Bernstein LLP Three Wachovia Center 401 South Tryon Street, Suite 3000 Charlotte, NC 28202 Telephone: (704) 335-9050 Facsimile: (704) 334-4706