Filed on behalf of: COLUMBIA

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ILLUMINA, INC.,
Petitioner
v.
Patent of THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF
NEW YORK,
Patent Owner

Case IPR2012-00007
U.S. Patent 7,790,869 B2

COLUMBIA'S NOTICE OF APPEAL

Patent Owner The Trustees of Columbia University in the City of New York ("Columbia") hereby gives notice to the Director of the Patent and Trademark Office, pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), of its appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board ("the Board"), entered on March 6, 2014 (Paper 140), and from all orders, decisions, rulings, and opinions underlying the Final Written Decision.

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii), Columbia anticipates that the issues on appeal may include the following:

1.   Whether the Board erred in determining that claims 12, 13, 17, 20-26, 28, 29, 31, and 33 of U.S. Patent No. 7,790,869 ("the '869 Patent") are unpatentable under 35 U.S.C. § 102.

2.   Whether the Board erred in determining that claims 15 and 16 of the '869 Patent are unpatentable under 35 U.S.C. § 103.

3.   Whether the Board's failure to provide legal or factual support for its decision-making requires reversal.

4.   Whether the Board erred in denying Columbia's motion to amend the claims of the '869 Patent.

5.   Whether the Board erred in dismissing as moot Columbia's motion to exclude Exhibits 1029-1033 and 1041-1054.

Columbia reserves the right to challenge any finding or determination supporting or related to the issues listed above and to challenge any other issues decided adversely to Columbia in the Board's Final Written Decision and any orders, decisions, rulings, or opinions underlying the Final Written Decision.

Copies of Columbia's Notice of Appeal are being filed simultaneously with the Director, the Board, and the Clerk of the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Dated: May 2, 2014

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CERTIFICATE OF SERVICE

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I hereby certify that on this 2nd day of May, 2014, the foregoing Notice of

Appeal by The Trustees of Columbia University in the City of New York was filed

with the Patent Trial and Appeal Board through the Board's Patent Review

Processing System, and copies thereof were filed and served as set forth below.

FILING BY HAND DELIVERY:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
Madison Building East, 10B20
600 Dulaney Street
Alexandria, VA 22314-5793

Honorable Daniel E. O'Toole, Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place, NW, Suite 401
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Dated: May 2, 2014   /Aaron P. Selikson/
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