

Filed November 26, 2014

Filed on behalf of Illumina Cambridge Ltd.  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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**INTELLIGENT BIO-SYSTEMS, INC.**

Petitioner,

v.

**ILLUMINA CAMBRIDGE LTD.**

Patent Owner.

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**Case IPR2013-00266 (LMG)**

U.S. Patent 8,158,346

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**ILLUMINA NOTICE OF APPEAL  
IN THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Illumina Cambridge Ltd.  
Appellant

v.

Intelligent Bio-Systems, Inc.  
Appellee

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**NOTICE OF APPEAL TO THE  
U.S. COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT  
OF FINAL WRITTEN  
DECISION OF THE PATENT  
TRIAL AND APPEAL BOARD  
IN INTER PARTES REVIEW  
CASE NO. IPR2013-00266**

Office of the General Counsel  
Director of the U.S. Patent & Trademark Office  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. §§ 141 and 142, and 37 C.F.R. §§ 90.2, 90.3, and 104.2, Illumina Cambridge Ltd. (“Illumina”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the October 28, 2014 Final Written Decision rendered by the United States Patent and Trademark Office Patent Trial and Appeal Board (“the Board”) in *Inter Partes* Review IPR2013-00266 (Paper 73).

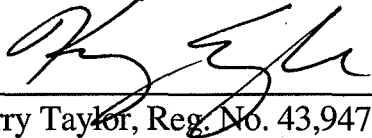
In accordance with 37 C.F.R. §§ 90.2(a)(3)(ii), Illumina provides the below information regarding the questions to be reviewed on appeal. This information is being provided for the purpose of allowing the Director to determine whether to exercise the right to intervene in the appeal pursuant to 35 U.S.C. § 143, and is not

to be construed as limiting the scope of the appeal or precluded from revision.

Illumina anticipates the grounds for appeal will be:

1. Whether the Board erred in denying Illumina's Motion to Amend, including the addition of substitute Claims 20-26; and
2. Whether the Board erred in dismissing as moot Illumina's Motion to Exclude.

Respectfully submitted,

Dated: November 26, 2014 By:   
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**CERTIFICATE OF FILING AND SERVICE**

I hereby certify that this **Illumina Notice of Appeal to the U.S. Court of Appeals for the Federal Circuit** was filed via U.S.P.S. Priority Mail Express on November 26, 2014 with the Director of the United States Patent and Trademark Office at the address below:

Office of the General Counsel  
Director of the U.S. Patent & Trademark Office  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Copies of this Notice of Appeal are being filed and served on November 26, 2014 as follows:

To the U.S. Court of Appeals for the Federal Circuit  
Clerk of Court  
U.S. Court of Appeals for the Federal Circuit  
717 Madison Place, N.W.  
Washington, DC 20439

(via Federal Express - three copies with filing fee)

To the USPTO Patent Trial and Appeal Board  
Patent Trial and Appeal Board  
Madison Building East  
600 Dulany Street  
Alexandria, VA 22313

(via PRPS, as authorized by the Board)

To Counsel for Intelligent Bio-Systems, Inc.  
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IPR2013-00266  
U.S. Pat. 8,158,346  
Attorney Docket No. ILLINCL.242LP

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(via FedEx and via email pursuant to 37 C.F.R. § 42.6(e))

Dated: November 26, 2014



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