

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO BOARD OPTIONS EXCHANGE,
INCORPORATED,

Plaintiff,

v.

INTERNATIONAL SECURITIES
EXCHANGE, LLC,

Defendant.

Case No. 07-cv-623

(consolidation of Case Nos. 07-cv-
4709 and 07-cv-623)

The Hon. Joan H. Lefkow, U.S.D.J.
The Hon. Jeffrey Cole, U.S.M.J.

NOTICE OF APPEAL

Pursuant to Rules 3 and 4(a) of the Federal Rules of Appellate Procedure and 28 U.S.C. § 1291, notice is hereby given that Defendant International Securities Exchange, LLC (“ISE”) hereby appeals to the United States Court of Appeals for the Federal Circuit from this Court’s Judgment in a Civil Case dated and entered April 10, 2013 (D.I. 723), this Court’s Final Judgment dated and entered April 10, 2013 (D.I. 722) and any and all of the decisions and rulings of this Court underlying and leading to any of the foregoing.

Contemporaneously with this notice, ISE is providing payment to the Clerk of this Court in the amount of \$455 for the fee required by 28 U.S.C. §§ 1913, 1917.

Dated: April 12, 2013

Michael D. Huber
Kelly V. Milam
**Cray Huber Horstman Heil & Van Ausdal
LLC**
303 W Madison, Suite 2200
Chicago, IL 60606
Tel.: 312.332.8450
Fax: 312.332.8451

*Attorneys for Defendant International
Securities Exchange, LLC*

Respectfully submitted,

/s/Michael S. DeVincenzo
Parker H. Bagley
Michael S. DeVincenzo
Calvin E. Wingfield Jr. (pro hac vice)
GOODWIN PROCTER LLP
The New York Times Building
620 Eighth Avenue
New York, New York 10018
Tel.: 212.813.8800
Fax: 212.355.3333

Douglas J. Kline (pro hac vice)
GOODWIN PROCTER LLP
53 State Street
Boston, MA 02109-2802
Tel.: 617.570.1000
Fax: 617.523.1231

Laurel A. Kilgour (pro hac vice)
GOODWIN PROCTER LLP
3 Embarcadero Center
24th Floor
San Francisco, CA 94111
Tel.: 415.733.6008
Fax: 415.677.9041

*Attorneys for Defendant International
Securities Exchange, LLC*

CERTIFICATE OF SERVICE

The undersigned certifies pursuant to Fed. R. Civ. P. 5 and L.R. 5.5, that a true and correct copy of the foregoing document was filed on April 12, 2013 with the Clerk of the Court using the CM/ECF system, which will send notice to counsel of record.

/s/Michael S. DeVincenzo
Micahael S. DeVincenzo