

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

METRIS U.S.A., INC.,	)	
METRIS N.V.,	)	
METRIS IPR N.V. and	)	
3D SCANNERS LTD.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
FARO TECHNOLOGIES INC.,	)	<b>Civil Action No.: 08-cv-11187(PBS)</b>
Defendant,	)	
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FARO TECHNOLOGIES INC.,	)	
	)	
Counterclaimant,	)	
	)	
v.	)	
	)	
METRIS U.S.A., INC.,	)	
METRIS N.V.,	)	
METRIS IPR N.V. and	)	
3D SCANNERS LTD.,	)	
Counterdefendants	)	
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Notice is hereby given that Plaintiffs and Counterclaim Defendants Metris U.S.A. Inc., Metris N.V., Metris IPR N.V. and 3D Scanners Ltd.<sup>1</sup> (hereinafter, “Nikon Metrology”) appeal to the United States Court of Appeals for the Federal Circuit from the Order and Judgment [Document 541] entered in this action on the 20th day of March, 2013, and from any and all

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<sup>1</sup> As a result of corporate acquisitions, Plaintiffs now are Nikon Metrology, Inc. (formerly known as Metris U.S.A. Inc.), Nikon Metrology N.V. (formerly known as Metris N.V. and Metris IPR N.V.) and 3D Scanners Ltd. (collectively “Nikon Metrology”).

other orders and rulings adverse to Nikon Metrology in whole or in part, including but not limited to the September 19, 2011 grant of summary judgment of non-infringement of U.S. Pat. No. 6,611,617, and the August 10, 2012 jury verdict finding the asserted claims of U.S. Pat. No. 7,313,264 invalid.

Dated: April 18, 2013

RESPECTFULLY SUBMITTED,

By: /s/ Merton E. Thompson

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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on April 18, 2013, I caused a true and correct copy of the foregoing ***Notice of Appeal of Plaintiffs and Counterclaim Defendants Metris U.S.A. Inc., Metris N.V., Metris IPR N.V. and 3D Scanners Ltd.*** to be served through the ECF system upon all counsel of record.

/s/ Merton E. Thompson  
Merton E. Thompson, Esq.