

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN**

PLANET BINGO, LLC, a California limited liability company,

Plaintiff/Counterclaim Defendant,

v.

VKGS, LLC, dba VIDEO KING, a Delaware limited liability company,

Defendant/Counterclaimant.

Case No.: 1:12-CV-219

HON. ROBERT HOLMES BELL

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiff Planet Bingo, LLC in the above named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the Judgment entered in this action on August 19, 2013 (Doc. 75), the Opinion (Doc. 73) and Order (Doc. 74) dated August 19, 2013 granting Defendant's Renewed Motion for Summary Judgment of Invalidity of U.S. Patent Nos. 6,398,646 and 6,656,045, and any and all other interlocutory orders and opinions that gave rise to the Judgment.<sup>1</sup>

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<sup>1</sup> Planet Bingo files this Notice of Appeal at this time in an abundance of caution, given that the Court has granted Video King's renewed motion for summary judgment on account of invalidity, has found the remaining claims of the '646 and '045 Patents invalid under 35 U.S.C. § 101, has dismissed Planet Bingo's complaint (*see* Order dated August 19, 2013, Doc. 74), and has entered judgment in favor of Video King (*see* Judgment dated August 19, 2013, Doc. 75), and that Video King has agreed that its remaining counterclaims may be dismissed without prejudice (*see* Stipulation of Dismissal Pursuant to FRCP 41, dated August 23, 2013, Doc. 77).

Dated: September 18, 2013

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 18, 2013, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

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