

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

Digital-Vending Services International, LLC,)	
)	Case No. 2:09-cv-555-AWA-TEM
Plaintiff,)	
)	
v.)	
)	
The University of Phoenix, Inc., <i>et al.</i> ,)	
)	
Defendants.)	

NOTICE OF APPEAL

Notice is hereby given that Plaintiff Digital-Vending Services International, Inc. (“DVSI”), hereby appeals to the United States Court of Appeals for the Federal Circuit from:

1. Opinion and Order dated October 18, 2012 (Dkt. No. 517) compelling the production of logging additional privileged documents;
2. Opinions and Orders dated December 17, 2012 (Dkt. No. 547) and December 20, 2012 (Dkt. No. 550) compelling production of documents;
3. Opinion and Order dated January 22, 2013 (Dkt. No. 575) overruling Plaintiff’s objections to Magistrate Judge Tommy E. Millers’ Orders of December 17, 2012 and December 20, 2012;
4. Opinion and Order dated March 29, 2013 (Dkt. No. 631) granting in part Defendants’ Motion for Protective Order and the Amended Order dated April 8, 2013 (Dkt. No. 636) to the extent that it limits Plaintiff;

5. Opinion and Order dated April 12, 2013 (Dkt. 641) awarding attorneys' fees to Defendant and denying in part, the relief requested by Plaintiff with respect to certain documents claimed as privileged;
6. Opinion and Order dated May 9, 2013 (Dkt. No.653) detailing the claim constructions adopted by the Court and the Amended Opinion and Order dated August 30, 2013 (Dkt. No. 809) regarding the Court's claim construction;
7. Opinion and Order dated July 19, 2013 (Dkt. No. 717) granting Defendants' Motion to Strike Portions of the Report of Plaintiff's Expert, Michael Shamos, and denying Plaintiff's Motion for Leave to Supplement Infringement Contentions and the Amended Order dated August 27, 2013 (Dkt. No. 794) granting Defendants' Motion to Strike Portions of the Report of Plaintiff's Expert Michael Shamos and denying Plaintiff's Motion for Leave to Supplement Infringement Contentions;
8. Opinion and Order dated August 27, 2013 (Dkt. No. 793) granting Defendants' Motion to Strike Portions of the Rebuttal Report on Invalidity of Plaintiff's Expert, Michael Shamos, and denying Plaintiff's Motion for Leave to Supplement DVSI's Answer to Interrogatory No. 26 and failing to grant in full, Plaintiff's Motion for Clarification (Dkt. No. 738);
9. Opinion and Order dated October 3, 2013 (Dkt. No. 910) imposing sanctions on DVSI and recommending additional sanctions by way of jury instructions;
10. Opinion and Order dated October 3, 2013 (Dkt. No. 911) (and the findings made therein) granting Defendants' Motion for Summary Judgment, overruling Plaintiff's Objections (Dkt. No. 743 & 807) to Judge Miller's rulings, confirming the striking of

- portions of the report of Plaintiff's expert and further construing the terms of the patent;
11. Opinion and Order dated October 3, 2013 overruling objections to Magistrate Judge Tommy E. Millers' Orders of July 19, 2013 and August 27, 2013 (Dkt. No. 911); and,
 12. Judgment in a Civil Case dated October 4, 2013 Order (Dkt. No. 912).

DATED: November 1, 2013

Respectfully submitted,

**DIGITAL-VENDING SERVICES
INTERNATIONAL, LLC**

By Counsel,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of November, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following counsel of record:

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