

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROCHE DIAGNOSTICS CORPORATION,)	
)	
Plaintiff,)	
v.)	
)	
MESO SCALE DIAGNOSTICS, LLC.,)	
)	
Defendant.)	
_____)	C.A. No. 17-189 (LPS) (CJB)
)	
MESO SCALE DIAGNOSTICS, LLC.,)	
)	
Counterclaim Plaintiff,)	
)	
v.)	
)	
ROCHE DIAGNOSTICS CORPORATION and)	
BIOVERIS CORPORATION,)	
)	
Counterclaim Defendants.)	

MESO SCALE DIAGNOSTICS, LCC.’S NOTICE OF APPEAL

Pursuant to Federal Rule of Appellate Procedure 4(a)(3), Meso Scale Diagnostics, LLC. (“Meso Scale”) hereby appeals to the United States Court of Appeals for the Federal Circuit the portion of the Final Judgment dated December 21, 2020, granting judgment of non-infringement in favor of Roche Diagnostics Corporation on U.S. Patent Nos. 6,451,225, 6,881,536, and 6,881,589. (D.I. 323) Meso Scale also appeals all underlying, related or interlocutory findings, orders, decisions, rulings, and opinions related to that judgment of non-infringement, including but not limited to the portions of the Memorandum Opinion and Order concerning post-trial motions issued on November 30, 2020 (D.I. 317 & 318) related to that judgment of non-infringement.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jeremy A. Tigan

Jack B. Blumenfeld (#1014)

Jeremy A. Tigan (#5239)

1201 North Market Street

P.O. Box 1347

Wilmington, DE 19899

(302) 658-9200

jblumenfeld@mnat.com

jtigan@mnat.com

OF COUNSEL:

Steven E. Derringer

BARTLIT BECK LLP

54 West Hubbard Street, Suite 300

Chicago, IL 60654

(312) 494-4400

Counsel for Defendant/Counterclaim Plaintiff

Meso Scale Diagnostics, LLC.

John M. Hughes

Nosson D. Knobloch

Daniel C. Taylor

BARTLIT BECK LLP

1801 Wewatta Street, Suite 1200

Denver, CO 80202

(303) 592-3100

February 2, 2021

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on February 2, 2021, upon the following in the manner indicated:

Joel Friedlander, Esquire
Christopher Foulds, Esquire
Christopher P. Quinn, Esquire
FRIEDLANDER & GORRIS P.A.
1201 North Market Street, Suite 2200
Wilmington, DE 19801
Attorneys for Roche Diagnostics, LLC

VIA ELECTRONIC MAIL

James T. McKeown, Esquire
Jeffrey N. Costakos, Esquire
Eric L. Maassen, Esquire
Rachel M. Blise, Esquire
Philip C. Babler, Esquire
Kimberly K. Dodd, Esquire
FOLEY & LARDNER LLP
777 East Wisconsin Avenue
Milwaukee, WI 53202
Attorneys for Roche Diagnostics, LLC

VIA ELECTRONIC MAIL

/s/ Jeremy A. Tigan
Jeremy A. Tigan (#5239)