

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ATELIERS DE LA HAUTE-GARONNE	)
(French Corporation) and F2C2 SYSTEMS	)
S.A.S. (French Corporation),	)
	)
Plaintiffs,	)
	)
v.	)
	)
BROETJE AUTOMATION-USA INC.	)
(Delaware Corporation), BRÖTJE-	)
AUTOMATION GMBH (German Corporation),	)
	)
Defendants.	)

Civil Action No.: 09-598-LPS

**PLAINTIFFS’ NOTICE OF APPEAL TO THE  
UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given that plaintiffs Ateliers de la Haute-Garonne and F2C2 Systems S.A.S. (collectively “AHG”) in the above named case hereby appeal to the United States Court of Appeals for the Federal Circuit from:

(1) the District Court’s Order (D.I. 321) entered on September 22, 2011 and Memorandum Opinion (D.I. 335) entered September 26, 2011 granting defendants Broetje Automation-USA, Inc. and Brötje Automation GmbH (“Broetje”)’s Motion for Partial Summary Judgment of Invalidity for Failure to Disclose Best Mode that U.S. Patent No. 5,011,339 and U.S. Patent No. 5,143,216 (“the patents-in-suit”) are invalid based on the best mode requirement;

(2) the District Court’s Order (D.I. 341 at ¶ 2) entered on October 13, 2011 granting Broetje’s Motion for Partial Summary Judgment of Invalidity for Failure to Disclose Best Mode that the patents-in-suit are invalid; and

(3) the Judgment (D.I. 343) entered in this action on October 13, 2011 pursuant to Rule 54(b) of the Federal Rules of Civil Procedure in favor of Broetje *et al.* and against AHG.

Concurrently herewith, AHG submits electronic payment in the amount of \$455, to cover the \$450 fee specified in the Miscellaneous Fee Schedule, and the \$5.00 fee required by 28 U.S.C. § 1917.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

*/s/ Monté T. Squire*

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Dated: October 17, 2011

*Attorneys for Ateliers de la Haute-Garonne and  
F2C2 Systems S.A.S.*

**CERTIFICATE OF SERVICE**

I, Monté T. Squire, Esquire, hereby certify that on October 17, 2011, I caused to be electronically filed a true and correct copy of Plaintiffs' Notice of Appeal to the United States Court of Appeals for the Federal Circuit with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on October 17, 2011, I caused a copy of the foregoing document to be served by email on the above-listed counsel of record and on the following non-registered participants in the manner indicated.

**BY E-MAIL (by agreement of counsel):**

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/s/ Monté T. Squire  
Monté T. Squire (No. 4764)