

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

HELENA LABORATORIES	:	
CORPORATION,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 1-06-CV-0016
	:	
v.	:	
	:	
ALPHA SCIENTIFIC CORPORATION,	:	
	:	
Defendant.	:	
	:	
	:	

NOTICE OF APPEAL

Notice is hereby given that Defendant, Alpha Scientific Corporation (“Alpha”), hereby appeals to the United States Court of Appeals for the Federal Circuit from the Order entered on July 12, 2007 (Document 69), in which a final judgment under Rule 54(a) was entered in favor of Plaintiff, Helena Laboratories Corporation, and from all prior orders and rulings of the District Court that are adverse to Alpha including the Memorandum Opinion and Order Construing Claim Terms of the United States Patent No. 5,344,666 entered in this action on November 21, 2006 (Document 47), the Order on Plaintiff’s Motion for Summary Judgment entered in this action on January 25, 2007 (Document 58), and the Order Denying Motion to Alter or Amend

Judgment (treated by the Court as a motion for reconsideration) entered in this action on April 20, 2007 (Document 63).

Respectfully submitted,

Dated: July 16, 2007

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