

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CELSIS IN VITRO, INC. a Maryland Corporation,)	
)	
)	
<i>Plaintiff,</i>)	Case No. 10-cv-4053
)	
v.)	
)	Judge Milton I. Shadur
CELLZDIRECT, INC., a Delaware Corporation and wholly-owned subsidiary of INVITROGEN CORPORATION; and INVITROGEN CORPORATION, a Delaware Corporation.)	Magistrate Judge Martin C. Ashman
)	
<i>Defendants.</i>)	
)	
)	
)	

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

Celsis IVT provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from (1) the Preliminary Injunction Order of The Honorable Milton I. Shadur, U.S. District Court Judge, dated and entered in this action on March 24, 2011, denying Celsis IVT's Second Motion for Temporary Restraining Order and Preliminary Injunction; (2) all preceding and underlying factual findings and conclusions relating to that Order as contained in the hearings that took place on March 8-10, 2011 or otherwise; (3) any other preceding or subsidiary decisions, and all interlocutory orders that gave rise to that Order; and (4) any all other appealable rulings, decisions, orders, judgments, findings and/or conclusions entered in this lawsuit and adversely affecting Celsis IVT.

With this notice Celsis IVT provides payment in the amount of \$455.00 for the \$450.00 fee for docketing this Notice of Appeal and the \$5.00 fee for the certified copy of the docket, as required by Rule 3 of the Federal Rules of Appellate Procedure and 28 U.S.C. §§ 1913 and 1917.

April 12, 2011

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CERTIFICATE OF SERVICE

I, Adam G. Kelly, certify that a copy of the foregoing **Notice of Appeal to the United States Court of Appeals for the Federal Circuit** was served via ECF filing upon the following on the 12th day of April, 2011:

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