

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

B. BRAUN MELSUNGEN AG &)	
B. BRAUN MEDICAL INC.,)	
)	
Plaintiffs,)	
)	C.A. No. 09-347-LPS
v.)	
)	
TERUMO MEDICAL CORPORATION &)	
TERUMO CORPORATION,)	
)	
Defendants.)	

NOTICE OF APPEAL

Pursuant to the Federal Rules of Civil Procedure and the Federal Rules of Appellate Procedure, Terumo Medical Corporation and Terumo Corporation (collectively, “Terumo”), Defendants in the above-captioned action, hereby appeal to the United States Court of Appeals for the Federal Circuit from those rulings adverse to Terumo in the Final Judgment entered in this action on May 5, 2011 (D.I. 421), and any and all underlying orders, decisions, and rulings (whether merged into such final judgment or otherwise) adverse to Terumo, including but not limited to the Court’s Order regarding the construction of the claims at issue (D.I. 214, 178), the Stipulation and Order concerning infringement of claims 9, 12 and 17 of U.S. Patent No. 7,264,613 pursuant to the Court’s claim construction (D.I. 238), the Order denying Terumo’s motion for summary judgment of non-infringement and granting in part Braun’s motion for summary judgment relating to invalidity (D.I. 298), and the Order denying Defendants’ Renewed Motion for Judgment as a Matter of Law and Motion for New Trial (D.I. 416, 417).

Terumo is forwarding to the Court by U.S. Mail a check in the amount of \$455 for the \$450 fee for docketing a case on appeal specified in 28 U.S.C. § 1913 and the \$5 fee for filing a Notice of Appeal specified in 28 U.S.C. § 1917.

Dated: May 19, 2011

FISH & RICHARDSON P.C.

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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