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IN AND FOR THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT, DISTRICT OF UTAH

INTERNATIONAL AUTOMATED
SYSTEMS, INC.,
Plaintiffs

-vs-

DIGITAL PERSONA, INC.;
MICROSOFT CORPORATION; and
JOHN DOES 1-20 (2:06-CV-72DB
Defendants); and IBM; IBM
CORPORATION; IBM PERSONA
COMPUTING DIVISION; LENOVO (UNITE
STATES) INC.; LENOVO GROUP LTD;
UPEK, Inc. and JOHN DOES 1-20
(2:06-CV-0115J Defendants),
Defendants.

**NOTICE OF APPEAL BY PLAINTIFF
INTERNATIONAL AUTOMATED
SYSTEMS, INC., TO THE UNITED
STATES COURT OF APPEALS FOR
THE FEDERAL CIRCUIT**

Consolidated cases:
Civil No. 2:06-CV-72DB
Civil No. 2:06-CV-0115J

Judge Dee Benson

Notice is hereby given that International Automated Systems, Inc., Plaintiff in
the above-entitled action, hereby appeals to the United States Court of Appeals for

the Federal Circuit from: **(a)** a Memorandum Opinion and Order issued in case No. 2:06-CV-72 from the District Court for the District of Utah and entered on the 3rd day of January 2008, which Opinion and order construed certain disputed terms in U.S. Patent No. 5,598,474 ('474 Patent), the patent at issue, and granted summary judgement in favor of Defendants, finding said patent invalid; and **(b)** an Order issued in the consolidating case No. 2:06-CV-0115J from the District Court for the District of Utah and entered on the 9th day of January 2008, which Order *sua sponte* consolidated the case 2:06-CV-0115J into the earlier case No. 2:06-CV-72. The two cases are related in that they have in common the same plaintiff and both involve the '474 Patent. The case are dissimilar in that they involve different defendants and different accused devices.

Dated this 1st day of February, 2008.

/s/ Robert D. Dahle
J. David Nelson
Robert D. Dahle
Attorneys for Appellant
Address: 10885 South State,
Sandy, Utah 84070

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2008, I filed the foregoing **NOTICE OF APPEAL BY PLAINTIFF INTERNATIONAL AUTOMATED SYSTEMS, INC., TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT** with the Clerk of the Court and I served a correct copy of the foregoing using the CM/ECF System to the following:

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/s/ Robert D. Dahle

I further certify that on this 1st day of February, 2008, a true and correct copy of the foregoing **NOTICE OF APPEAL BY PLAINTIFF INTERNATIONAL AUTOMATED SYSTEMS, INC., TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT** was mailed, postage prepaid, to the following:

Edwin H. Taylor
Lester J. Vincent
Blakely, Sokoloff, Taylor & Zafman, LLP
1279 Oakmead Parkway
Sunnyvale, CA 94085

/s/ Robert D. Dahle

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of February, 2008, I filed the foregoing **NOTICE OF APPEAL BY PLAINTIFF INTERNATIONAL AUTOMATED SYSTEMS, INC., TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT** with the Clerk of the Court and I served a correct copy of the foregoing using the CM/ECF System to the following:

SEE ATTACHED LIST

I declare under penalty of perjury under the laws of the State of Utah that the foregoing is true and correct.

Date: February 1, 2008.

/s/ Robert D. Dahle _____

Robert D. Dahle

CERTIFICATE OF SERVICE

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(X) BY U.S. MAIL: I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Mail, which envelope was then sealed and placed for collection and mailing at my place of business following ordinary business practices. Said correspondence will be deposited with the United States Postal Service at Sandy, Utah, on the referenced date in the ordinary course of business; and there is delivery service by United States mail at the place so addressed in the City of Sandy, County of Salt Lake, State of Utah.

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I declare under penalty of perjury under the laws of the State of Utah that the foregoing is true and correct.

Date: February 1, 2008

/s/ Robert D. Dahle
Robert D. Dahle