

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISION**

Cook Biotech Incorporated)
and Purdue Research Foundation,)
)
Plaintiffs and)
Counterclaim Defendants,)
)
v.)
)
ACell Incorporated, Stephen F. Badylak,)
and Alan R. Spievack,)
)
Defendants and Counterclaimants.)

Case No. 4:03CV0046

NOTICE OF APPEAL

Come now Plaintiffs Purdue Research Foundation and Cook Biotech Incorporated, by counsel, and give notice that Plaintiffs appeal to the United States Court of Appeals for the Federal Circuit: 1) the Judgment entered on June 28, 2005 (Docket No. 702), 2) the Order dated August 17, 2005 (Docket No. 779) denying Plaintiffs' Motion to Alter or Amend the June 28, 2005 Judgment (Docket No. 715), and 3) the Order dated June 22, 2005 (Docket No. 664) with reference to summary adjudication of inventorship and unjust enrichment.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of August, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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