

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WORCESTER DIVISION**

BAYER HEALTHCARE LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 4:09-cv-40061 (FDS)(TSH)
)	(administratively consolidated with Civil
ABBOTT LABORATORIES, ABBOTT)	Action No. 4:09-cv-40002 (FDS)(TSH))
BIORESEARCH CENTER, INC., and)	
ABBOTT BIOTECHNOLOGY LTD.)	
)	
Defendants.)	
)	
ABBOTT LABORATORIES, ABBOTT)	
BIORESEARCH CENTER, INC., and)	
ABBOTT BIOTECHNOLOGY LTD.)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 4:09-cv-40002 (FDS)(TSH)
)	
BAYER HEALTHCARE LLC,)	
)	
Defendant.)	
)	

**BAYER HEALTHCARE LLC’S NOTICE OF APPEAL
TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given that Bayer HealthCare LLC (“Bayer”) in the above named cases hereby appeals to the United States Court of Appeals for the Federal Circuit from the final judgment entered in this action on January 11, 2011 (Docket No. 189), and all rulings and orders merged therein, including without limitation the Second Amended Memorandum and Order on Claim Construction filed on December 28, 2010 (Docket No. 185).

Dated: February 1, 2011

Respectfully submitted,

s/ Katherine G. Minarik

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CERTIFICATE OF SERVICE

I, Katherine G. Minarik, hereby certify that, on February 1, 2011, I served a true and correct copy of the foregoing document upon the attorney of record for each other party by electronic filing.

Dated: February 1, 2011

Respectfully submitted,

s/ Katherine G. Minarik
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