

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

W.L. GORE & ASSOCIATES, INC.,

Plaintiffs,

v.

MEDTRONIC, INC., MEDTRONIC USA,
INC., and MEDTRONIC VASCULAR,
INC.,

Defendants.

Civ. Act. No. 10-441-MSD-DEM

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

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rules of Appellate Procedure 3 and 4, plaintiff W.L. Gore & Associates, Inc. appeals to the United States Court of Appeals for the Federal Circuit the June 18, 2012 Opinion and Order and Judgment granting judgment to defendants Medtronic, Inc., Medtronic USA, Inc., and Medtronic Vascular, Inc. that claims 12, 16, and 19 of U.S. Patent No. 5,810,870 are not infringed (D.I. 189 and 190), the December 14, 2011 Opinion and Order regarding claim construction (D.I. 92), and all preceding or subsidiary decisions, all subsequent and related rulings, and all interlocutory orders that gave rise to those orders.

W.L. Gore & Associates, Inc. further appeals all adverse judgments.

Dated: July 18, 2012

FISH & RICHARDSON P.C.

By: /s/ Ahmed J. Davis
Ahmed J. Davis (Va. Bar No. 43,972)
1425 K Street, NW, 11th Floor
Washington, DC 20005
Telephone: (202) 783-5070
Facsimile: (202) 783-2331
Email: davis@fr.com

Susan M. Coletti (admitted *pro hac vice*)
222 Delaware Avenue, 17th Floor
P.O. Box 1114
Wilmington, DE 19899-1114
Telephone: (302) 652-5070
Facsimile: (302) 652-0607
Email: coletti@fr.com

Juanita R. Brooks (admitted *pro hac vice*)
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
Email: brooks@fr.com

Attorneys for Plaintiffs W.L. GORE &
ASSOCIATES, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Notice has been served July 18, 2012, via the Court's ECF system upon all counsel designated to receive such notices, as identified below:

Dabney J. Carr, IV
Robert A. Angle
TROUTMAN SANDERS LLP
1001 Haxall Point
Richmond, VA 23219
dabney.carr@troutmansanders.com
robert.angle@troutmansanders.com

Karen D. McDaniel
Thomas J. Leach
Rachel C. Hughey
MERCHANT & GOULD P.C.
3200 IDS Center, 80 South Eighth Street
Minneapolis, MN 55402
kmcdaniel@merchantgould.com
tlease@merchantgould.com
rhughey@merchantgould.com

Ryan J. Fletcher
MERCHANT & GOULD P.C.
1050 Seventeenth Street, Suite 1950
Denver, CO 80265
rfletcher@merchantgould.com
MGMedtronicServiceList@merchantgould.com

James J. Elacqua
SKADDEN ARPS
525 University Avenue, Suite 1100
Palo Alto, CA 94301
James.elacqua@skadden.com

/s/ Ahmed J. Davis
Ahmed J. Davis
