

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

<hr/>		)	
DATATERN, INC.		)	
		)	
Plaintiff,		)	
		)	
v.		)	Civil Action No. 11-cv-11970-FDS
		)	
BLAZENT, INC.,		)	
		)	
Defendant.		)	
<hr/>		)	
DATATERN, INC.		)	
		)	
Plaintiff,		)	
		)	
MICROSTRATEGY, INC., CARL		)	
WARREN AND CO., INC., LANCET		)	
SOFTWARE DEVELOPMENT, INC.		)	Civil Action No. 11-12220-FDS
AIRLINES REPORTING CORP.,		)	
MAGIC SOFTWARE ENTERPRISES,		)	
LTD., MAGIC SOFTWARE		)	
ENTERPRISES, INC., TERADATA		)	
CORP., EPICOR SOFTWARE CORP.,		)	
AND PREMIER, INC.		)	
		)	
Defendants.		)	
<hr/>		)	

**NOTICE OF APPEAL**

Notice is hereby given that DataTern, Inc., Plaintiff in the above captioned matters, hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment against DataTern, Inc., including, *inter alia*, (a) the Order and Judgment entered in this action on February 7, 2013; (b) the entry of final judgment of non-infringement of U.S. Patent No. 6,101, 502 (the “502 Patent”) in favor of all defendants; (c) the entry of final judgment in favor of defendants and plaintiffs-in-counterclaim Blazent, Inc., Informatica Corp. and Airlines Reporting Corp. for their declaratory judgment claim of non-infringement of the

“‘502 Patent; (d) the adoption of the December 26, 2012 order of the United States District Court for the Southern District of New York, which incorporated the August 24, 2012 Opinion and Order, construing the term “to create an interface object” in the claims of the ‘502 Patent; and (e) the conclusion that the product “Business Intelligence” does not infringe the ‘502 patent because, according to the August 24, 2012 claim construction of the Southern District of New York, it does not meet the claim limitation “‘to create an interface object’ because it does not ‘generate code for at least one class and instantiate an object from the class’” as required by the claim construction of the Southern District of New York.

DATATERN, INC.  
By its Attorneys,

/s/ William A. Zucker

Lee Carl Bromberg, lbromberg@mccarter.com  
William A. Zucker, wzucker@mccarter.com  
Erik Paul Belt, ebelt@mccarter.com  
Daniel E. Kelly, dkelly@mccarter.com  
David Himelfarb, dhimelfarb@mccarter.com  
Kia L. Freeman, kfreeman@mccarter.com  
McCarter English, LLP  
265 Franklin Street  
Boston, Massachusetts 02110  
Telephone: (617) 449-6500

Dated: March 5, 2013

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

_____	)	
DATATERN, INC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 11-cv-11970-FDS
	)	
BLAZENT, INC.,	)	
	)	
Defendant.	)	
_____	)	
DATATERN, INC.	)	
	)	
Plaintiff,	)	
	)	
MICROSTRATEGY, INC., CARL	)	
WARREN AND CO., INC., LANCET	)	
SOFTWARE DEVELOPMENT, INC.	)	Civil Action No. 11-12220-FDS
AIRLINES REPORTING CORP.,	)	
MAGIC SOFTWARE ENTERPRISES,	)	
LTD., MAGIC SOFTWARE	)	
ENTERPRISES, INC., TERADATA	)	
CORP., EPICOR SOFTWARE CORP.,	)	
AND PREMIER, INC.	)	
	)	
Defendants.	)	
_____	)	

**CERTIFICATE OF SERVICE**

I, William A. Zucker, declare under the penalty of perjury that I have served a copy of the attached Notice of Appeal upon counsel of record for each of the defendants as listed on this Court's *ECF* system.

March 5, 2013

/s/ William A. Zucker  
 William A. Zucker, Esq.  
 wzucker@mccarter.com  
 McCarter & English, LLP  
 265 Franklin Street  
 Boston, Massachusetts 02110  
 Telephone: (617) 449-6500