

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

---

**PERKINELMER, INC, AND NTD LABORATORIES,  
INC.,**  
*Plaintiffs-Appellees,*

v.

**INTEMA LIMITED,**  
*Defendant-Appellant.*

---

2011-1577

---

Appeal from the United States District Court for the  
District of Massachusetts in case no. 09-CV-10176, Judge  
F. Dennis Saylor, IV.

---

**ON MOTION**

---

**O R D E R**

PerkinElmer, Inc. and NTD Laboratories, Inc. move to  
dismiss Intema Limited's appeal for lack of jurisdiction.  
Intema opposes.

We deem it the better course to deny the motion with-  
out prejudice to the parties raising any jurisdictional  
argument in the briefs.

Accordingly,

IT IS ORDERED THAT:

The motion is denied. The appellees' brief is due within 21 days of the date of this order.

FOR THE COURT

DEC 22 2011

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Bradford J. Badke, Esq.  
Lawrence Rosenthal, Esq.

s19

**FILED**  
**U.S. COURT OF APPEALS FOR**  
**THE FEDERAL CIRCUIT**

**DEC 22 2011**

**JAN HORBALY**  
**CLERK**