

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ATLANTA GAS LIGHT COMPANY
Petitioner

v.

BENNETT REGULATOR GUARDS, INC.
Patent Owner

Case IPR2015-00826

Patent 5,810,029

NOTICE OF APPEAL

Filed: March 18, 2021

Pursuant to 28 U.S.C. § 1295(a)(4)(A), 35 U.S.C. §§ 141 and 142, and 37 C.F.R. §§ 90.2 and 90.3, Petitioner Atlanta Gas Light Company (“Petitioner”) hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board’s Order (Paper 52) entered in IPR2015-00826 on January 20, 2021 (“Terminating Sanctions Order”). Petitioner also appeals from all orders, opinions, rulings, and judgments underlying and/or related to the PTAB’s Terminating Sanctions Order decided adversely to Petitioner, including the September 20, 2016 Order (Paper 32) authorizing Patent Owner to file a motion for sanctions and the December 6, 2016 Order (Paper 39) granting Patent Owner’s motion for sanctions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner states that the issues on appeal include, but are not limited to, whether the Board should have granted Patent Owner’s Motion for Sanctions (Paper 35) related to Petitioner’s identification of real parties-in-interest under 37 CFR § 42.8, and whether the Board’s orders, including its decision to terminate proceedings as a sanction, should be held unlawful and set aside under 5 U.S.C. § 706(2).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing ***NOTICE OF APPEAL*** is being filed with the Director of the United States Patent and Trademark Office by U.S. Express Mail, postage prepaid, this 18th day of March, 2021, at the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that the foregoing ***NOTICE OF APPEAL*** is also being filed electronically via CM/ECF on this 18th day of March, 2021, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit.

I hereby certify that, on this 18th day of March, 2021, the foregoing ***NOTICE OF APPEAL*** is also being electronically transmitted to the Patent Trial and Appeal Board via the End to End (E2E) system and is being served on counsel for Patent Owner Bennett Regulator Guards, Inc. Wayne D. Porter, Jr. by e-mail at the following e-mail address: porter@porterpatentlaw.com.

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