

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ONE WORLD TECHNOLOGIES, INC.,
d/b/a TECHTRONIC INDUSTRIES POWER EQUIPMENT,
Petitioner

v.

CHERVON (HK) LIMITED,
Patent Owner

U.S. Patent No. 10,070,588 B2

Before BARRY L. GROSSMAN, JAMES J. MAYBERRY, and ALYSSA A.
FINAMORE, Administrative Patent Judges

FINAMORE, Administrative Patent Judge

Inter Partes Review No.: IPR2020-00888

PETITIONER'S NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 90.2(a), Petitioner One World Technologies, Inc. (“Petitioner”) hereby gives notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board’s November 3, 2021 Final Written Decision (Paper No. 53) and all underlying orders, decisions, rulings, and opinions regarding U.S. Patent No. 10,070,588 (the “’588 Patent”).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner states that anticipated issues on appeal include, but are not limited to:

- 1) Whether the Board erred in determining that Petitioner did not show by a preponderance of evidence that the ’588 patent’s claims 1-10 are unpatentable under 35 U.S.C. § 103 in light of GB 2,386,813 A to Reichart (“Reichart”) in view of WO 2013/122266 A2 to Nakano et al. (“Nakano”).
- 2) Whether the Board erred in determining that Petitioner did not show by a preponderance of evidence that the ’588 patent’s claims 11, 15 and 20 are unpatentable under 35 U.S.C. § 103 in light of FR 2,768,300 A1 to Outils Wolfe Societe Anonyme (“Outils”) and U.S. Patent No. 8,098,036 to Matsunaga et al. (“Matsunaga”).
- 3) Whether the Board erred in determining that Petitioner did not show by a preponderance of evidence that the ’588 patent’s claims 12, 16,

17 and 21 are unpatentable under 35 U.S.C. § 103 in light of Outils, Matsunaga, U.S. Patent No. 5,209,051 to Langdon (“Langdon”) and Nakano.

- 4) Whether the Board erred in determining that Petitioner did not show by a preponderance of evidence that the ’588 patent’s claim 19 is unpatentable under 35 U.S.C. § 103 in light of Outils, Matsunaga, U.S. Patent No. 3,823,291 to Milcoy (“Milcoy”) and U.S. Patent No. 4,476,643 to Hilchey et al. (“Hilchey”).

Petitioner reserves the right to challenge any finding or determination supporting or relating to the issue listed above and to challenge any other issues decided adversely to Petitioner in the Final Written Decision and/or any orders, decisions or rulings underlying the Final Written Decision.

A copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal and the required docketing fees are being filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit.

Dated: January 3, 2022

Respectfully Submitted,

/Edward Sikorski/

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Attorneys for Petitioner

CERTIFICATE OF SERVICE

The undersigned certifies that, in addition to being electronically filed through the PTAB E2E system, a true and correct copy of this Notice of Appeal is being provided on this date via Priority Mail Express® to the Director of the United States Patent and Trademark Office at the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned also hereby certifies that a true and correct copy of this Notice of Appeal is being filed on this date via the CM/ECF filing system with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: January 3, 2022

Respectfully Submitted,

/Edward Sikorski/

Edward H. Sikorski
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CERTIFICATE OF SERVICE

The undersigned certifies that service of the foregoing document was made on Patent Owner’s counsel of record by filing this document through the PTAB E2E system and via email to the following addresses:

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Dated: January 3, 2022

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