

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

W-W-MANUFACTURING CO., INC.,
Petitioner,

v.

JAGER PRO, INC.,
Patent Owner.

Case IPR2020-01470
Patent 9,814,228

**PATENT OWNER JAGER PRO, INC.'S NOTICE OF APPEAL OF
FINAL WRITTEN DECISION**

via PTAB E2E
Patent Trial and Appeal Board

via U.S.P.S. Priority Mail Express®
Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

via CM/ECF
United States Court of Appeals for the Federal Circuit

INTRODUCTION

Patent Owner Jager Pro Incorporated (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision (Paper 37, “Final Written Decision”) of the Patent Trial and Appeal Board (“Board”) in the above-captioned inter partes review of United States Patent No. 9,814,228 (the “’228 Patent”). This notice is timely filed within 63 days of the Final Written Decision, which issued on February 16, 2022. 37 C.F.R. § 90.3(a)(1).

PATENT OWNER’S APPEAL

Pursuant to 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a)(1); and Federal Rule of Appellate Procedure/Federal Circuit Rule 15(a)(1), Patent Owner hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision.

PATENT OWNER’S ISSUES ON APPEAL

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner’s issues on appeal include at least: (i) the Board’s finding that claims 1–3, 13–17, 26, and 27 of the ’228 Patent are unpatentable over TB1, TB2, Jeong, and optionally Vorhies under 35 U.S.C. § 103(a); (ii) the Board’s finding that claims 4–9, 18–20, 24, and 25 of the ’228 Patent are unpatentable over TB1, TB2, Jeong, and optionally Vorhies and Silsby under 35 U.S.C. § 103(a); (iii) the Board’s finding that claims 10, 11, 21, 22, and

28 of the '228 Patent are unpatentable over TB1, TB2, Jeong, and optionally Vorhies and Kimura under 35 U.S.C. § 103(a); and (iv) the Board's finding that claims 12 and 23 of the '228 Patent are unpatentable over TB1, TB2, Jeong, optionally Vorhies and Kimura, and optionally Silsby under 35 U.S.C. § 103(a); and any finding or determination supporting or related to the aforementioned issues, including claim constructions and secondary considerations of nonobviousness, as well as all other issues decided adversely to Patent Owner in any order, decision, ruling, and/or opinions.

Simultaneously with this submission, Patent Owner is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office, and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit, as set forth in the accompanying Certificate of Filing.

Dated: April 19, 2022

Respectfully Submitted,

Ballard Spahr LLP
Customer Number 23859
999 Peachtree Street, NE
Suite 1600
Atlanta, GA 30309-4421
(678) 420-9300 Phone
(678) 420-9311 Fax

BALLARD SPAHR LLP

/Richard W. Miller/
Richard W. Miller (Reg. No. 59,386)
Joseph P. Anderson III (Reg. No. 59,245)

Attorneys for Patent Owner
Jager Pro, Inc.

CERTIFICATE OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through PTAB E2E, a true and correct copy of the above-captioned **PATENT OWNER JAGER PRO, INC.’S NOTICE OF APPEAL OF FINAL WRITTEN DECISION** is being filed by U.S.P.S. Priority Mail Express ® with the Director on April 19, 2022 at the following address:

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

The undersigned also hereby certifies that a true and correct copy of the above-captioned **PATENT OWNER JAGER PRO, INC.’S NOTICE OF APPEAL OF FINAL WRITTEN DECISION** and the required filing fee is being filed via CM/ECF with the Clerk’s Office of the United States Court of Appeals for the Federal Circuit on April 19, 2022.

Date: April 19, 2022

By: /Richard W. Miller/
Richard W. Miller (Reg. No. 59,386)
Attorney for Patent Owner
Jager Pro, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, in addition to being electronically filed through PTAB E2E, a true and correct copy of the above-captioned **PATENT OWNER JAGER PRO, INC.’S NOTICE OF APPEAL OF FINAL WRITTEN DECISION** is being served on April 19, 2022, on the following counsel of record for Petitioner W-W-Manufacturing Co., Inc. at the electronic service email address of record, listed below, by electronic mail:

Scott Cummings
Katherine Ramlose McMorrow
Timothy J. Carroll
Kevin Greenleaf
DENTONS US LLP
Scott.cummings@dentons.com
Kate.mcmorrow@dentons.com
Tim.carroll@dentons.com
Kevin.greenleaf@dentons.com

Date: April 19, 2022

By: *Richard W. Miller/*
Richard W. Miller (Reg. No. 59,386)
Attorney for Patent Owner
Jager Pro, Inc.