

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THORNE RESEARCH, INC.,
Petitioner,

v.

TRUSTEES OF DARTMOUTH COLLEGE,
Patent Owner.

Case No. IPR2021-00491
Patent No. 8,197,807

PETITIONER'S NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 90.2(a) and 35 U.S.C. §§ 141(c), 142, and 319, Thorne Research, Inc. (“Petitioner”), respectfully gives notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board’s Final Written Decision entered on August 10, 2022 (Paper 48), and from all other underlying orders, decisions, rulings, and opinions.

For the limited purpose of providing the Director of the United States Patent and Trademark Office with the information specified in 37 C.F.R. § 90.2(a)(3)(ii), the issues on appeal include the Board’s determination that claims 1-3 of U.S. Patent No. 8,197,807 B2 were not shown to be unpatentable in view of the grounds of unpatentability on which trial was instituted (Paper 18). The issues on appeal also include any finding or determination supporting or related to these issues, as well as all other issues decided adversely to Petitioner in any order, decision, ruling, or opinion.

Simultaneous with this filing and in accordance with 37 C.F.R. § 90.2(a)(1), this Notice of Appeal is being filed with the Director and served on Patent Owner in accordance with 37 C.F.R. § 42.6(e). This Notice of Appeal, along with the required fees, is also being filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit in accordance with Fed. Cir. R. 15(a)(1).

Date: October 12, 2022

Respectfully submitted,

/Michael T. Rosato/
Michael T. Rosato, Lead Counsel
Reg. No. 52,182

CERTIFICATES OF FILING AND SERVICE

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board’s P-TACTS filing system, the foregoing Notice of Appeal was filed by Express Mail on this 12th day of October 2022, with the Director of the United States Patent and Trademark Office, at the following address:

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

.....
I hereby certify that a true and correct copy of the foregoing Notice of Appeal was filed electronically by CM/ECF on this 12th day of October 2022, with the Clerk’s Office of the United States Court of Appeals for the Federal Circuit.
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Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served a true and correct copy of the foregoing Notice of Appeal on the Patent Owner at the electronic service addresses of the Patent Owner as follows:

John L. Abramic

Jamie L. Lucia

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Date: October 12, 2022

Respectfully submitted,

/Michael T. Rosato/
Michael T. Rosato, Lead Counsel
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