

NO: 423227US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TOYOTA MOTOR CORP.,  
Petitioner,

v.

LEROY G. HAGENBUCH,  
Patent Owner.

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Case IPR2014-00123  
Patent U.S. 8,532,867

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**PETITIONER'S NOTICE OF CROSS APPEAL**

via Overnight Delivery  
Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel  
Madison Building East, 10B20  
600 Dulaney Street  
Alexandria, VA 22314-5793

via PRPS  
Patent Trial and Appeal Board

via Overnight Delivery  
United States Court of Appeals for the Federal Circuit

Please take notice that under 35 U.S.C. §§ 141, 142, 319; 37 C.F.R. §§ 90.2, 90.3, 104.2; and Federal Rules of Appellate Procedure/Federal Circuit Rule 4(3)(a) and 15, Petitioner Toyota Motor Corp. ("Toyota") hereby cross-appeals to the United States Court of Appeals for the Federal Circuit the Patent Trial and Appeal Board's ("the Board") Final Written Decision entered on March 3, 2015 (Paper No. 32) (the "Final Written Decision").

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Cross-Appellant Toyota further indicates that its issue on cross-appeal includes, but is not limited to: Whether the Board erred in holding that Toyota failed to prove by a preponderance of the evidence that claims 8, 9, 13, and 14 are unpatentable as obvious over Aoyanagi, Vollmer, Steiner, and Fincham.

Toyota further 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 Toyota in the Board's Final Written Decision and any other orders, decisions, rulings, and opinions underlying the Final Written Decision.

Copies of Petitioner's Notice of Cross Appeal are being submitted simultaneously to the Director of the United States Patent and Trademark Office, the Board, and the Clerk of the United States Court of Appeals for the Federal Circuit. This Notice of Cross Appeal is timely under 37 C.F.R. § 90.3 and Rule 4(a)(3) of the Federal Rules of Appellate Procedure.

IPR2014-00123  
Petitioner's Notice of Cross Appeal

Respectfully submitted,

Toyota Motor Corp., Petitioner

Date: May 15, 2015

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(OMMN 07/09)

By: /Robert C. Mattson/

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Registration No. 42,850

OBLON, McCLELLAND,

MAIER &, NEUSTADT, L.L.P.

**CERTIFICATE OF FILING AND SERVICE**

The undersigned hereby certifies that the foregoing PETITIONER'S NOTICE OF CROSS APPEAL in *Inter Partes* review of IPR2014-00123 was filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS) and was served electronically via email on May 15, 2015, on the following counsel of record:

John B. Conklin (jconklin@leydig.com)  
Robert Wittmann (rwittmann@leydig.com)  
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The undersigned also certifies that two copies of the foregoing PETITIONER'S NOTICE OF CROSS APPEAL in *Inter Partes* review of IPR2014-00123 was served by overnight delivery on May 15, 2015, on the Director of the United States Patent and Trademark Office, at the following address:

Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel  
Madison Building East, 10B20  
600 Dulaney Street  
Alexandria, VA 22314-5793

**CERTIFICATE OF FILING AND SERVICE (con't)**

The undersigned further certifies that three copies of this PETITIONER'S NOTICE OF CROSS APPEAL and the Final Decision in *Inter Partes* review of IPR2014-00123 were filed (along with a check for the filing fee) with the Federal Circuit via overnight delivery on May 15, 2015, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

United States Court of Appeals for the Federal Circuit  
717 Madison Place, N.W., Suite 401  
Washington, D.C. 20005

Date: May 15, 2015

/Robert C. Mattson/  
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