

Filed on behalf of: Organik Kimya AS

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ORGANIK KIMYA AS  
Petitioner

v.

ROHM AND HAAS COMPANY  
Patent Owner

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CASE IPR2014-00185  
Patent No. 6,020,435

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Before TONI R. SCHEINER, LORA M. GREEN, and  
ERICA A. FRANKLIN, *Administrative Patent Judges*

**PETITIONER'S NOTICE OF APPEAL**

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

Pursuant to 35 U.S.C. § 141 and 37 C.F.R. § 90.2 Petitioner, Organik Kimya AS (“Organik”), hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered May 27, 2015 (Paper 56) and from all underlying orders, decisions, rulings, and opinions regarding Rohm and Haas Company’s U.S. Patent 6,020,435 (“the ’435 patent”) set forth in *Inter Partes* Review IPR2014-00185.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the issues on appeal include, but are not limited to, the Patent Trial and Appeal Board’s claim construction analysis and determination, in particular and without limitation, the Board’s interpretation of the term “swelling agent”; the Board’s determination that claims 1-5 of the ’435 patent are not unpatentable, in particular, and without limitation, the Board’s determination that claims 1-5 are not anticipated by U.S. Patent 5,360,827 (*Toda*) under 35 U.S.C. § 102(b) and that claims 1-5 are not obvious over U.S. Patent 5,077,320 (*Touda*) under 35 U.S.C. § 103(a); the Board’s interpretation of the prior art references of record including, without limitation, the Board’s interpretation of *Toda* and *Touda*; and any finding or determination supporting or relating to these issues, as well as all other issues decided adversely

to Organik in any order, decision, ruling, or opinion by the Patent Trial and Appeal Board in this *Inter Partes* Review.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office, and a copy of this Notice is being concurrently filed with the Patent Trial and Appeal Board. In addition, a copy of this Notice along with the required docketing fees are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit via CM/ECF.

Respectfully submitted,

Date: July 27, 2015

By: /Timothy P. McAnulty/  
Timothy P. McAnulty (Lead Counsel)  
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Reg. No. 60,974  
Eric J. Fues (Back-Up Counsel)  
Reg. No. 41,765

## **CERTIFICATE OF SERVICE AND FILING**

I hereby certify that on this 27th day of July, 2015, in addition to being filed and served electronically through the Board's PRPS System, a true and correct copy of the foregoing "PETITIONER'S NOTICE OF APPEAL," was filed by hand with 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, 10B20  
Madison Building East  
600 Dulany Street  
Alexandria, Virginia

I also hereby certify that on this 27th day of July, 2015, a true and correct copy of the foregoing "PETITIONER'S NOTICE OF APPEAL," and the filing fee, were filed with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, via CM/ECF.

I also hereby certify that on this 27th day of July, 2015, a true and correct copy of the foregoing “PETITIONER’S NOTICE OF APPEAL,” was served, by electronic mail, upon the following:

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Respectfully submitted,

Date: July 27, 2015

By: /John W. Kozikowski

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