

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SHENZHEN LIOWN ELECTRONICS CO., LTD.  
Petitioner

v.

DISNEY ENTERPRISES, INC.  
Patent Owner

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Case IPR2015-01656  
Patent No. 8,070,319 B2

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**EXCLUSIVE LICENSEE LUMINARA'S NOTICE OF APPEAL**

via PTAB E2E  
Patent Trial and Appeal Board

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

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

## **INTRODUCTION**

Exclusive Licensee Luminara.'s appeal stems from the Patent Trial and Appeal Board's Final Written Decision entered on February 6, 2017 (Paper 49) (the "Final Written Decision") in the above-captioned *inter partes* review of United States Patent No. 8,070,319. This notice is timely filed within 63 days of the Board's Final Written Decision. 37 C.F.R. § 90.3(a)(1).

### **EXCLUSIVE LICENSEE LUMINARA'S APPEAL**

Please take notice that under 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a), and Federal Rules of Appellate Procedure/Federal Circuit Rule 4(3)(a), Exclusive Licensee Luminara hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision based on the "Decision, Institution of Inter Partes Review" entered on February 8, 2016 (Paper 7) (the "Institution Decision").

### **EXCLUSIVE LICENSEE LUMINARA'S ISSUES ON APPEAL**

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Exclusive Licensee Luminara's issues on appeal include at least: (i) the Board's finding that claims 1 and 5 would have been anticipated by Schnuckle '455; (ii) the Board's finding that claims 1-5 would have been obvious over Schnuckle '455; (iii) the Board's claim construction; and (iv) any findings or determinations supporting or related to the

aforementioned issues as well as all other issues decided adversely to Exclusive Licensee Luminara in any orders, decisions, rulings, and/or opinions.

Simultaneously with this submission, Exclusive Licensee Luminara 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.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jon E. Wright/

Jon E. Wright, Reg. No. 50,720  
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Worldwide, LLC*

Date: February 13, 2017  
1100 New York Avenue, N.W.  
Washington, D.C. 20005  
(202) 371-2600

**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 EXCLUSIVE LICENSEE LUMINARA'S NOTICE OF APPEAL is being filed by hand with the Director on February 13, 2017, 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, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned EXCLUSIVE LICENSEE LUMINARA'S NOTICE OF APPEAL and the 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 February 13, 2017.

Respectfully submitted,

/Jon E. Wright/

Date: February 13, 2017

Jon E. Wright, Reg. No. 50,720  
*Attorney for Exclusive Licensee  
Luminara Worldwide, LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **EXCLUSIVE LICENSEE LUMINARA'S NOTICE OF APPEAL** was served electronically via e-mail on February 13, 2017, in its entirety on the following:

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