

Filed on behalf of:
Johns Manville Corporation and Johns Manville, Inc.
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Paper No. _____
Date: March 10, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JOHNS MANVILLE CORPORATION AND JOHNS MANVILLE, INC.,

Petitioners,

v.

KNAUF INSULATION, INC. AND KNAUF INSULATION SPRL,

Patent Owners.

Case IPR2015-01453
Patent D631,670

PETITIONERS' NOTICE OF APPEAL

Pursuant to 35 U.S.C. §142 and 37 C.F.R. 90.2(a), Petitioners Johns Manville Corporation and Johns Manville, Inc. ("Johns Manville") hereby give notice of their appeal under 35 U.S.C. § 141(c) to the United States Court of Appeals for the Federal Circuit from the Final Written Decision (Paper 49) of the Patent Trial and Appeal Board ("the Board") on January 11, 2017 in the above-captioned proceeding, and from all orders, decisions, rulings, and opinions underlying the Final Written Decision.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the expected issues on appeal include, but are not limited to, the Board's construction of the claim, including the phrase "variation of distinct hues"; the Board's decision that Petitioners did not show by a preponderance of the evidence that the sole claim of the '670 patent is unpatentable as anticipated in view of OC PROPINK (Ex. 1003); as obvious in view of Soundproofing (Ex. 1007) and either Exhibit 1003, JM Microlite (Ex. 1005), or Knauf Crown Floor Slab (Ex. 1006); as obvious in view of Ex. 1007 and Ex. 1005; as obvious in view of Knauf Timber Frame (Ex. 1008) and Ex. 1003, Ex. 1005, or Ex. 1006; or as obvious in view of Ex. 1008 and Ex. 1005, and any finding or determination supporting or relating to those issues, as well as all other issues decided adversely to Petitioners in any orders, decisions, rulings, or opinions.

This Notice of Appeal is being filed simultaneously with the Director of the United States Patent and Trademark Office, the Board, and the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: March 10, 2017

Respectfully submitted,

By: *s/ Kristopher L. Reed*
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Lead Counsel for Petitioners

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on this 10th day of March 2017, I caused a true and correct copy of the foregoing **PETITIONERS' NOTICE OF APPEAL** to be served via e-mail on the following counsel of record for the Patent Owner:

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Pursuant to 37 C.F.R. § 104.2, the undersigned certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board End to End system, the original version of the foregoing **PETITIONERS' NOTICE OF**

APPEAL was filed with the Director of the U.S. Patent and Trademark Office at the following address:

Office of the Solicitor

United States Patent and Trademark Office Mail Stop 8

Post Office Box 1450

Alexandria, Virginia 22313-1450

The undersigned also certifies that a copy of the foregoing **PETITIONERS' NOTICE OF APPEAL** and the filing fee were filed with the Clerk's Office for the U.S. Court of Appeals for the Federal Circuit via CM/ECF.

Respectfully submitted,

By: s/ *Kristopher L. Reed*
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