

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ORSTAR INDUSTRIAL CO., LTD.

Petitioner

v.

COSMO LIGHTING INC.

Patent Owner

U.S. Patent No. 7,926,978

IPR Case No.: IPR2015-01787

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 90.2(a), notice is hereby given that Patent Owner, Cosmo Lighting Inc., (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeals Board entered on January 13, 2017 in case IPR2015-01787, Paper 30, and from all underlying findings, orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner indicates that the issues on appeal include, but are not limited to, the Board’s construction of claim terms, including but not limited to “encapsulating,” determinations of unpatentability of claims 1-3 of U.S. Patent No. 7,926,978 B2 (the “978 Patent”) over Popovich, Lin-US, and/or Lin-CN, alone or in combination with other references, and the findings supporting those determinations, including construction of the limitation “a plurality of transparent packages encapsulating every pair of first and second contact-pad areas on the first and second conducting wires and the surface mounted light emitting component bonded thereto,” any other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions issued in this proceeding.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal and the required fee are being submitted to the Clerk’s Office for the United States

Court of Appeals for the Federal Circuit.

Respectfully submitted,

Date: March 16, 2017	<u>/Mainak H. Mehta/</u> Mainak H. Mehta, Reg. No. 46,924 Robert H. Sloss, <i>admitted pro hac vice</i> Procopio, Cory, Hargreaves & Savitch LLP 1117 S. California Avenue, Suite 200 Palo Alto, CA 94304 Telephone: (650) 645-9000 Facsimile: (650) 687-8301 <i>Attorneys for Patent Owner</i>
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CERTIFICATE OF SERVICE
(37 C.F.R. §§ 42.6(e) and 42.105(a))

The undersigned hereby certifies that the above-captioned PATENT OWNER'S NOTICE OF APPEAL was served in its entirety on March 16, 2017, by filing this document through the Patent Trial and Appeal Board's E2E System and was filed with the Director of the United States Patent and Trademark Office c/o the Office of General Counsel via first-class mail to the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby also certify that on March 16, 2017, a true and correct copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL was filed electronically with the Clerk's Office of the United States Court of Appeals for the Federal Circuit via CM/ECF, with a courtesy paper copy to the clerk via Federal Express.

I hereby further certify that on March 16, 2017, a true and correct copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL has been served in its entirety by delivering a copy via electronic mail upon the following at:

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Respectfully submitted,

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