

Filed on behalf of:  
Johns Manville Corporation and Johns Manville, Inc.  
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Paper No. \_\_\_\_\_  
Date: July 7, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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JOHNS MANVILLE CORPORATION AND JOHNS MANVILLE, INC.,

Petitioners,

v.

KNAUF INSULATION, INC. AND KNAUF INSULATION SPRL,

Patent Owners.

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Case IPR2016-00130  
Patent D631,670

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**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 35) of the Patent Trial and Appeal Board (“the Board”) on May 8, 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; 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 obvious over JM 1997 Brochure (Ex. 1004) in combination with Soundproofing (Ex. 1008) or OC 2006 Report (Ex. 1010); as obvious over JM 2000 Brochure (Ex. 1005) in combination with Soundproofing (Ex. 1008) or OC 2006 Report (Ex. 1010); as anticipated by JM 1997 Brochure (Ex. 1004); and as anticipated by JM 2000 Brochure (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: July 7, 2017

Respectfully submitted,

By: s/ Kristopher L. Reed  
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 7<sup>th</sup> day of July 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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