

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FMC TECHNOLOGIES, INC.,

Petitioner,

v.

ONESUBSEA IP UK LIMITED,

Patent Owner.

Case IPR2016-00378

U.S. Patent No. 8,272,435

**PATENT OWNER'S NOTICE OF APPEAL TO THE
U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner, OneSubsea IP UK Limited, hereby appeals and/or petitions for a writ of mandamus to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on June 29, 2017 (Paper No. 28) (the "Final Written Decision"), and from all underlying orders, decisions, rulings and opinions regarding U.S. Patent No. 8,272,435 ("the '435 Patent").

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner further indicates that the issues on appeal may include the following, as well as any underlying findings, determinations (including claim constructions), rulings, decisions, opinions, or other related issues:

- The Board's holding that claims 1–8 and 13 are rendered obvious by Kelly in view of Bednar;
- The Board's holding that claims 8 and 9 are rendered obvious by Kelly in view of Bednar and Fenton;
- The Board's holding that claims 1–8 and 11–14 are anticipated by Clair;
- The Board's holding that claims 8 and 9 are rendered obvious by Clair in view of Fenton;
- The construction of claims 1–9 and 11–14;
- Whether Patent Owner was afforded due process in this proceeding; and
- Whether the Patent Trial and Appeal Board exceeded its statutory authority.

A copy of this Notice of Appeal to the United States Court of Appeals for the Federal Circuit is being simultaneously filed with the Office of the General Counsel for the U.S. Patent and Trademark Office via U.S. 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
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314

Additionally, a copy of this Notice of Appeal to the United States Court of Appeals for the Federal Circuit is being simultaneously filed electronically with the Clerk's Office for the United States Court of Appeals for the Federal Circuit via the CM/ECF Document Filing System along with the required filing fee of \$500.00 via the "Pay.gov" website.

Respectfully submitted,

Oblon, McClelland, Maier &
Neustadt, LLP

Dated: August 15, 2017

/Michael L. Kiklis/
Michael L. Kiklis (Reg. No. 38,939)

Customer Number
22850
Tel. (703) 413-3000
Fax. (703) 413-2220

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of PATENT OWNER'S NOTICE OF APPEAL on the counsel of record for the Petitioners by filing this document through the PTABE2E System as well as delivering a copy via electronic mail to the following addresses:

Joshua A. Griswold
Craig A. Deutsch
Kenneth W. Darby, Jr.
Bret Winterle
IPR29188-0023IP1@fr.com
PTABInbound@fr.com
griswold@fr.com
deutsch@fr.com
kdarby@fr.com
winterle@fr.com

Dated: August 15, 2017

/Michael L. Kiklis/
Michael L. Kiklis (Reg. No. 38,939)