

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AVX CORPORATION

Petitioner

v.

PRESIDIO COMPONENTS, INC.

Patent Owner

Patent No. 6,661,639

Issue Date: December 9, 2003

Title: SINGLE LAYER CAPACITOR

Inter Partes Review No. IPR2016-00636

PETITIONER'S NOTICE OF APPEAL

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. § 90.2(a), notice is hereby given that Petitioner AVX Corporation (“AVX”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision in IPR2016-00636 entered on August 21, 2017 (Paper No. 23), and from all underlying findings, orders, decisions, rulings, and opinions, including without limitation, those within the Decision on Institution of *Inter Partes* Review entered on August 22, 2016 (Paper No. 5).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), AVX states that the issues on appeal include but are not limited to the conclusions by the Patent Trial and Appeal Board (the “Board”) that AVX failed to demonstrate by a preponderance of the evidence that: (1) claims 1, 3, 4, 6, 8, 10, 11, and 17 are unpatentable under 35 U.S.C. § 103 over Liebowitz, Devoe, and Veater; (2) claims 2 and 9 are unpatentable under 35 U.S.C. § 103 over Liebowitz, Devoe, Veater, and SinghDeo; (3) claims 5 and 12 are unpatentable under 35 U.S.C. § 103 over Liebowitz, Devoe, Veater, and Insetta; (4) claim 7 is unpatentable under 35 U.S.C. § 103 over Liebowitz, Devoe, Veater, and AAPA; (5) claims 19 and 21 are unpatentable under 35 U.S.C. § 103 over Liebowitz and Devoe; (6) claim 20 is unpatentable under 35 U.S.C. § 103 over Liebowitz, Devoe, and SinghDeo. AVX further states that the

issues on appeal include any findings or determinations supporting or relating to the aforementioned issues, as well as other issues decided adversely to AVX in any orders, decisions, rulings, or opinions.

Respectfully submitted,

Dated: October 23, 2017

By:/s/Michael Houston
Michael Houston
Reg. No. 58,486
Counsel for Petitioner

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Reg. No. 44,787
Counsel for Petitioner

CERTIFICATE OF FILING

Pursuant to 37 C.F.R. §§ 42.6(b)(1) and 90.2(a)(1), the undersigned hereby certifies that on October 23, 2017, the foregoing PETITIONER’S NOTICE OF APPEAL was filed electronically with the Patent Trial and Appeal Board through the Board’s Patent Review Processing System and a copy was mailed by Express Mail to the Director of the United States Patent and Trademark Office, at the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. § 90.2(a)(2) and Fed. Cir. R. 15, the undersigned further certifies that a copy of the foregoing document was also filed using the Federal Circuit’s CM/ECF, along with payment of \$500.

Service of the foregoing is also being made electronically via email upon counsel of record pursuant to the agreement of the parties: Brett A. Schatz – bschatz@whe-law.com; Gregory F. Ahrens – gahrens@whe-law.com; Lisa M. A. Nolan – lnolan@whe-law.com

Dated: October 23, 2017

By: /s/Michael Houston
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