

Filed on behalf of Telebrands Corp. by:

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TELEBRANDS CORP.,
Petitioner

v.

TINNUS ENTERPRISES, LLC,
Patent Owner

PGR2016-00031
U.S. Patent 9,315,282

PETITIONER'S NOTICE OF APPEAL

Notice is hereby given, pursuant to 35 U.S.C. §§329, 141(c) and 142, and 37 C.F.R. § 90.2, that Petitioner Telebrands Corp. (“Telebrands”), hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (PTAB), entered on February 7, 2018 (Paper 88), in Proceeding No. PGR2016-00031, and from all underlying orders, decisions, rulings, and opinions.

In accordance with 37 C.P.R. § 90.2(a)(3)(ii), Petitioner contends that the issues on appeal include, but are not limited to, the following: the Board’s determination that claim 1 of U.S. Patent No. 9,315,282 (“the ’282 patent”) is not invalid under 35 U.S.C. 103, and specifically (1) the Board’s determination that Petitioner did not prove by a preponderance of the evidence that a person of ordinary skill in the art would have been motivated to combine the Saggio prior art reference with the Donaldson prior art reference; (2) the Board’s determination that the evidence of objective indicia of non-obviousness weighs significantly in favor of non-obviousness; (3) the Board’s determination that all claims of the ’282 patent are not indefinite under 35 U.S.C. § 112(b); and (4) any finding or determination concerning these issues, and other issues decided unfavorably to Petitioner in any orders, decisions, rulings and opinions.

Concurrently with the Notice of Appeal to the Director, a copy of this Notice is being filed with the Patent Trial and Appeal Board (PTAB). Also, a copy of this Notice

of Appeal is also being filed with the United States Court of Appeals for the Federal Circuit (“Federal Circuit”), and the required filing fee is remitted to the Clerk’s Office of the Federal Circuit through the pay.gov system. Additionally, one (1) paper copy is being filed with the Federal Circuit’s Clerk’s Office, as required by the Court’s rules. No fee is deemed necessary in connection with the filing of this Notice of Appeal to the United States Patent and Trademark Office. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Dated: March 14, 2018

/s Robert T. Maldonado/
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CERTIFICATE OF SERVICE

USPTO DIRECTOR AND FEDERAL CIRCUIT

I hereby certify that the original version of this **PETITIONER'S NOTICE OF APPEAL** is being set by mail on March 14, 2018, to the Director of the United States Patent and Trademark Office at the address below:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314-5793

I further certify that, pursuant to Federal Circuit Rule 15(a)(1), one (1) true and correct paper copy of this **PETITIONER'S NOTICE OF APPEAL** is being sent by mail on March 14, 2018, to the Clerk's Office of the United States Court of Appeals for the Federal Circuit at the address below:

Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, D.C. 20439

I further certify that, pursuant to Federal Circuit Rule 25(b)(1), this **PETITIONER'S NOTICE OF APPEAL** is being filed with the Federal Circuit in Portable Document Format (PDF) via the CM/ECF system on March 14, 2018. In addition, I further certify that payment of the required fees is being made via pay.gov on March 14, 2018.

Dated: March 14, 2018

/s Robert T. Maldonado/
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U.S. Patent No. 9,315,282

PGR2016-00031

CERTIFICATE OF SERVICE

PTAB AND PATENT OWNER'S COUNSEL

I hereby certify that, the foregoing **PETITIONER'S NOTICE OF APPEAL** is being filed electronically, pursuant to 37 C.F.R. §§ 90.2 and 42.6(b), via the Patent Trial and Appeal Board's E2E system on March 14, 2018.

I further certify that, a copy of the foregoing **PETITIONER'S NOTICE OF APPEAL** is being served on March 14, 2018, on Patent Owner's counsel of record by electronic service to the following electronic mail addresses:

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Dated: March 14, 2018

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