

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

POLYGROUP LIMITED (MCO),
Petitioner,
v.

WILLIS ELECTRIC COMPANY, LIMITED,
Patent Owner.

Case IPR2016-01615
U.S. Patent No. 8,936,379 B1

PETITIONER POLYGROUP'S NOTICE OF APPEAL

via PTAB E2E
Patent Trial and Appeal Board

via Mail Service
Office of the Solicitor
United States Patent and Trademark Office Mail Stop 8
P.O. Box 1450
Alexandria, Virginia 22313-1450

via CM/ECF
United States Court of Appeals for the Federal Circuit

Please take notice that under 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a), and Federal Rules of Appellate Procedure/Federal Circuit Rule 4(a)(1)(B), Petitioner Polygroup Limited MCO (“Polygroup”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on February 26, 2018 (the “Final Written Decision”) (Paper 94) in IPR2016-01615, an *inter partes* review of United States Patent No. 8,936,379 B1 based on the “Trial Instituted Document” entered on February 27, 2017 (Paper 16) (the “Institution Decision”).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Polygroup’s non-exhaustive list of possible issues on appeal include (i) the Board’s claim construction for the term “modular artificial tree”; (ii) the Board’s claim construction for the term “interference fit”; (iii) the Board’s finding that Claims 1, 2, 6, and 12 would not have been obvious over *DeVicaris* and *Korengold*; (iv) the Board’s finding that Dependent Claim 3 would not have been obvious over *DeVicaris*, *Korengold*, and *Raymond*; (v) the Board’s finding that Dependent Claim 4 would not have been obvious over *DeVicaris*, *Korengold*, and *Yang*; (vi) the Board’s finding that Claims 8, 13, and 14 would not have been obvious over *DeVicaris*, *Korengold*, and *Lessner*; and (vii) any findings or determinations supporting or related to the

aforementioned issues, including but not limited to, the Board's definition of a person of ordinary skill in the art, and the adequacy of the motivations to combine the art presented, as well as all other issues decided adversely to Polygroup in any orders, decisions, rulings, phone conference decisions, and/or opinions.

Simultaneously with this submission, Polygroup is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Once the present appeal is docketed, Petitioner respectfully requests that the Federal Circuit consolidate this appeal with Polygroup's concurrently filed appeals of related *inter partes* review proceedings for United States Patent No. 8,936,379, IPR2016-01616 and IPR2016-01617. The Final Written Decision entered in IPR2016-01615 also serves as the Final Written Decision for IPR2016-01616 and IPR2016-01617.

Respectfully submitted,

/Christopher J. Forstner/

Date: March 29, 2018

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CERTIFICATE OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through PTAB E2E, a true and correct copy of the above-captioned *Petitioner Polygroup Limited's Notice of Appeal* is being filed by mail with the Director on March 29, 2018, at the following address:

Office of the Solicitor
United States Patent and Trademark Office Mail Stop 8
P.O. Box 1450
Alexandria, Virginia 22313-1450

The undersigned also hereby certifies that a true and correct copy of the above-captioned *Petitioner Polygroup Limited's Notice of Appeal* and the filing fee is being filed via CM/ECF with the Clerk's Office of the United States Court of Appeals for the Federal Circuit on March 29, 2018.

Respectfully submitted,

/Christopher J. Forstner/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing *Petitioner Polygroup Limited's Notice of Appeal* was served electrically via e-mail on March 29, 2018 in its entirety on the following counsel of Patent Owner:

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