

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KOIOS PHARMACEUTICALS LLC,
Petitioner,

v.

MEDAC GESELLSCHAFT FÜR KLINISCHE SPEZIALPRÄPARATE MBH,
Patent Owner.

Case IPR2016-01370
Patent 8,664,231 B2

**PETITIONER KOIOS PHARMACEUTICALS LLC'S NOTICE OF
APPEAL**

Office of the Solicitor

U.S. Patent & Trademark Office Mail Stop 8
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted Electronically via the PTAB E2E System

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-90.3, Petitioner Koios Pharmaceuticals LLC (“Koios”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered on February 7, 2018, in IPR2016-01370 (Paper No. 54) (“Final Written Decision”), and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding the inter partes review of U.S. Patent No. 8,664,231 B2 (the “’231 patent”).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Koios states that the issues on appeal may include, but are not limited to: the Board’s determination that claims 1–22 of the ‘231 patent have not been shown to be unpatentable; the Board’s consideration of the expert testimony, prior art, and other evidence in the record; and the Board’s factual findings, conclusions of law, or other determinations supporting or related to those issues, as well as all other issues decided adversely to Koios in any orders, decisions, rulings, and opinions.

This Notice of Appeal is being e-filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit, along with payment

of the required docketing fees. In addition, a copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board.

Respectfully submitted,

/s/ William P. Rothwell

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Santa Monica, CA 90401

Counsel for Petitioner

Date: April 10, 2018

The undersigned hereby certifies that the foregoing **PETITIONER'S NOTICE OF APPEAL** was filed electronically through the Patent Trial and Appeal Board's End to End System (PTAB E2E) on April 10, 2018. A copy of this Notice of Appeal was also sent on April 10, 2018 by Priority mail to the United States Patent and Trademark Office at the following address:

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/s/ William P. Rothwell

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Counsel for Petitioner

Date: April 10, 2018

CERTIFICATION OF FILING

The undersigned hereby certifies that the foregoing **PETITIONER’S NOTICE OF APPEAL** was filed electronically through the United States Court of Appeals for the Federal Circuit’s CM/ECF system on April 10, 2018.

Respectfully submitted,

/s/ William P. Rothwell

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Counsel for Petitioner

Date: April 10, 2018

CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing **PETITIONER'S NOTICE OF APPEAL** was served electronically via e-mail on April 10, 2018, to the following counsel of record for Patent Owner:

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