

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREDMAN BROS. FURNITURE COMPANY, INC.
Petitioner

v.

BEDGEAR, LLC
Patent Owner

Case: IPR2017-00350
U.S. Patent No. 8,887,332

PATENT OWNER'S NOTICE OF APPEAL

Patent Owner Bedgear, LLC (“Bedgear”) hereby gives notice, pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), of its appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“the Board”), entered on June 12, 2018 (Paper 41), and from all orders, decisions, rulings, and opinions underlying the Final Written Decision.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Bedgear anticipates that the issues on appeal may include the following:

1. Whether the Board erred in determining that claims 1-3, 6-9, 11, 13, 15, 16, 18-20, 22, 27, and 29-34 of U.S. Patent No. 8,887,332 are unpatentable under 35 U.S.C. § 102.
2. Whether the Board erred in determining that claims 4, 5, 10, 17, 21, 24, 25, and 28 of U.S. Patent No. 8,887,332 are unpatentable under 35 U.S.C. § 103.
3. Whether the claim constructions adopted by the Board were correct.
4. Whether the Board adequately articulated its reasoning in determining any of the above.

Bedgear reserves the right to challenge any finding or determination supporting or related to the issues listed above and to challenge any other issues

decided adversely to Bedgear in any orders, decisions, rulings, or opinions underlying the Final Written Decision.

Copies of Bedgear's Notice of Appeal are being filed simultaneously with the Director of the United States Patent and Trademark Office, the Patent Trial and Appeal Board, and the Clerk of the United States Court of Appeals for the Federal Circuit.

Date: June 14, 2018

Respectfully submitted,

By: /Joseph J. Richetti, Reg. No. 47024/
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS), the original version of the foregoing PATENT OWNER'S NOTICE OF APPEAL was filed by Express Mail (Express Mail Label No. EK 633601106 US) on June 14, 2018, with the United States Patent and Trademark Office, at the following address:

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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PATENT OWNER'S NOTICE OF APPEAL was electronically filed with the United States Court of Appeals for the Federal Circuit through CM/ECF and pay.gov on June 14, 2018.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PATENT OWNER'S NOTICE OF APPEAL was served electronically via e-mail on June 14, 2018, in its entirety on the following:

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