

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

POLYGROUP LIMITED (MCO),
Petitioner,

v.

WILLIS ELECTRIC CO., LTD.,
Patent Owner.

Case IPR2016-01781¹
U.S. Patent No. 8,974,072 B2

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

¹ IPR2016-01782 has been consolidated into IPR2016-01781.

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)(C), 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 May 7, 2018 (the “Final Written Decision”) (Paper 45) in IPR2016-01781, an *inter partes* review of United States Patent No. 8,974,072 B2 based on the “Trial Instituted Document” entered on May 9, 2017 (Paper 16).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Polygroup’s non-exclusive list of possible issues on appeal include (i) the Board’s claim construction for the term “tree portion”; (ii) the Board’s finding that independent claims 1, 11, and 25 and dependent claims 2, 12, 15-18, 21-24, and 26-27 would not have been obvious over the combination of *Miller, Yang, and Patry*; (iii) the Board’s finding that dependent claims 3 and 4 would not have been obvious over the combination of *Miller, Yang, Patry, and Otto*; (iv) the Board’s finding that dependent claim 5 would not have been obvious over the combination of *Miller, Yang, Patry, and Lessner*; (v) the Board’s finding that dependent claims 7 and 8 would not have been obvious over the combination of *Miller, Yang, Patry, and Janning*; and (vi) 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 rationales 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.

Respectfully submitted,

/Christopher J. Forstner/

Date: July 6, 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 July 6, 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 July 6, 2018.

Respectfully submitted,

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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 July 6, 2018 in its entirety on the following counsel of Patent Owner:

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