

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RIMFROST AS
Petitioner

v.

AKER BIOMARINE ANTARCTIC AS
Patent Owner

Case No. IPR2017-00746
U.S. Patent 9,028,877 B2

**PATENT OWNER AKER BIOMARINE ANTARCTIC AS
NOTICE OF APPEAL**

Notice is hereby given, pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), that Patent Owner AKER BIOMARINE ANTARCTIC AS ("Patent Owner") appeals 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 August 10, 2018 (Paper 23) and from all underlying findings, orders, decisions, rulings and opinions adverse to Patent Owner, including without limitation findings within the Decision to Institute *Inter Partes* Review entered on August 16, 2017 (Paper 8).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner further indicates that the issues on appeal include, but are not limited to, the Board's determination of unpatentability of claims 1-19 of U.S. Patent No. 9,028,877 B2 (the "877 Patent") under 35 U.S.C. § 103, and any finding or determination supporting or related to those issues, as well as all other issues decided adversely to Patent Owner in any orders, decisions, rulings, and opinions.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, a copy of this Notice of Appeal, along with the required docketing fees, is being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Date: October 12, 2018

Respectfully submitted,

By: /David A. Casimir/
David A. Casimir, Ph.D.
Reg. No. 42,395
CASIMIR JONES S.C.
2275 Deming Way, Suite 310
Middleton, WI 53562
(608) 662-1277 (phone)
(608) 662-1276 (facsimile)

Certificate of Filing

Pursuant to 37 C.F.R. §§ 90.2(a)(1) and 104.2(a), I hereby certify that on October 12, 2018, in addition to being filed electronically through the Board's Patent Review Processing System, the original of the foregoing PATENT OWNER AKER BIOMARINE ANTARCTIC AS NOTICE OF APPEAL was filed by hand with the Director of the United States Patent and Trademark Office, at the following address:

Director of the United States Patent and Trademark Office
Office of the General Counsel
Madison Building East, 1 OB20
600 Dulany Street
Alexandria, VA 22313-145 0

Certificate of Filing

Pursuant to 37 C.P.R. §§ 90.2(a)(2), I hereby certify that on October 12, 2018, a true and correct copy of the foregoing PATENT OWNER AKER BIOMARINE ANTARCTIC AS NOTICE OF APPEAL was electronically filed with the United States Court of Appeals for the Federal Circuit.

CERTIFICATE OF SERVICE

The undersigned hereby certified that a copy of the foregoing PATENT OWNER AKER BIOMARINE ANTARCTIC AS NOTICE OF APPEAL was served electronically via e-mail on October 12, 2018 in its entirety on the following:

James Harrington
Michael Chakansky
Ronald Baron
John Gallagher
HOFFMANN & BARON, LLP
jfhdoCKET@hbiPLAW.com
micdoCKET@hbiPLAW.com
rjbdocket@hbiPLAW.com
jtgdoCKET@hbiPLAW.com
877ipr1@hbiPLAW.com

By: /David A. Casimir/
David A. Casimir, Ph.D.
Reg. No. 42,395
CASIMIR JONES S.C.
2275 Deming Way, Suite 310
Middleton, WI 53562
(608) 662-1277 (phone)
(608) 662-1276 (facsimile)