

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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PANDUIT CORP.,  
Petitioner,

v.

CORNING OPTICAL COMMUNICATIONS LLC,  
Patent Owner.

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Case IPR2017-01074  
Patent RE45,482 E1

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**PATENT OWNER'S NOTICE OF APPEAL**

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Patent Owner's Notice of Appeal:  
IPR2017-01074 (Patent RE45,482 E1)

Pursuant to 35 U.S.C. §§ 141(c) and 142 and 37 C.F.R. §§ 90.2(a) and 90.3, Patent Owner Corning Optical Communications LLC ("Corning") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board's ("Board") Final Written Decision, entered on October 1, 2018 (Paper 40), and from all underlying and related findings, orders, decisions, rulings, and opinions that are adverse to Corning.

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii) ("sufficient information to allow the Director to determine whether to exercise the right to intervene in the appeal"), Corning further indicates that the issues on appeal may include, but are not limited to:

1. Whether the Board erred in holding that claims 15, 16, 18-24, 49, 50, 63-68, and 71 of the '482 patent have been shown to be unpatentable under 35 U.S.C. § 103(a) as obvious.
2. Whether the Board erred in holding that U.S. Patent No. 6,179,482 ("Takizawa") qualifies as prior art under 35 U.S.C. § 102(e).

Corning further reserves the right to challenge any finding or determination supporting or relating to the issues above, and to challenge other issues decided adversely to Corning.

Pursuant to 37 C.F.R. § 90.2(a), Corning is filing one (1) copy of this Notice of Appeal with the Director and also electronically filing a copy of this Notice of

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Appeal with the U.S. Court of Appeals for the Federal Circuit, with the requisite filing fee, in addition to filing this notice with the Board.

Date: November 30, 2018

Respectfully submitted,

/s/ Eric D. Hayes

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**CERTIFICATE OF SERVICE**

Per 37 C.F.R. § 90.2(a)(1), on November 30, 2018 the foregoing notice of appeal was filed electronically with the Board in accordance with 37 C.F.R. § 42.6(b)(1), and mailed to the Director via Priority Mail Express in accordance with 37 C.F.R. §§ 1.10 and 104.2 at the following address:

Director of the U.S. Patent and Trademark Office  
c/o Office of the General Counsel  
P.O. Box 1450  
Alexandria, VA 22313-1450

Per 37 C.F.R. § 90.2(a)(2), Fed. R. App. P. 15, and Fed. Cir. Rules 15, 25, and 52, on November 30, 2018 the foregoing notice of appeal was electronically filed with the Court of Appeals for the Federal Circuit via CM/ECF with appropriate fees paid through pay.gov. Per Fed. Cir. Rule 15(a)(1), one copy of this notice of appeal is being filed by hand with the Clerk's Office of the United States Court of Appeals for the Federal Circuit on November 30, 2018.

Per 37 C.F.R. § 42.6(e) and the parties' agreement to accept electronic service, on November 30, 2018 the foregoing notice of appeal was served via e-mail on the following attorneys for Petitioner:

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/s/ Eric D. Hayes  
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