

Filed on behalf of Telebrands Corp. by:

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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TELEBRANDS CORP.  
Petitioner,

v.

TINNUS ENTERPRISES, LLC,  
Patent Owner.

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PGR2017-00015  
U.S. Patent No. 9,527,612

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**PETITIONER'S NOTICE OF APPEAL**

Notice is hereby given, pursuant to 35 U.S.C. §§329, 141(c) and 142, and 37 C.F.R. § 90.2, that Petitioner Telebrands Corp. (“Telebrands”), hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (PTAB), entered on October 10, 2018 (Paper 47), in Proceeding No. PGR2017-00015, and from all underlying orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner contends that the issues on appeal include but are not limited to, the following: the Board’s determination that claims 1-4 of U.S. Patent No. 9,527,612 (“the ’612 patent”) are not unpatentable under 35 U.S.C. §§ 103 and/or 112, and specifically (1) the Board’s determination that Petitioner did not prove by a preponderance of the evidence that a person of ordinary skill in the art would have found claim 3 is indefinite under 35 U.S.C. § 112(b); (2) the Board’s determination that Petitioner did not prove by a preponderance of the evidence that a person of ordinary skill in the art would have found claim 3 lacks written description under 35 U.S.C. § 112(a); (3) the Board’s determination that Petitioner did not show by a preponderance of the evidence that claims 1-4 are unpatentable as obvious over Saggio and Donaldson; (4) the Board’s determination that Petitioner did not show by a preponderance of the evidence that claims 1-4 are unpatentable as obvious over Saggio and Lee; (5) the Board’s determination that Petitioner has failed to show by a preponderance of the evidence

that claim 3 would have been obvious over the Saggio prior art reference, Cooper prior art reference or Weir prior art reference, and Lee prior art reference or Donaldson prior art reference; and (6) any finding or determination concerning these issues, and other issues decided unfavorably to Petitioner in any orders, decisions, rulings and opinions.

Concurrently with the Notice of Appeal to the Director, a copy of this Notice is being filed with the Patent Trial and Appeal Board (PTAB). Also, a copy of this Notice of Appeal is being filed with the United States Court of Appeals for the Federal Circuit (“Federal Circuit”), and the required filing fee is remitted to the Clerk’s Office of the Federal Circuit via the pay.gov system. Additionally, one (1) paper copy is being filed with the Federal Circuit’s Clerk’s Office, as required by the Court’s rules. No fee is deemed necessary in connection with the filing of this Notice of Appeal to the United States Patent and Trademark Office. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Dated: December 12, 2018

/s Robert T. Maldonado/  
Robert T. Maldonado (38,232)  
Tonia A. Sayour (58,404)  
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**UNITED STATES PATENT AND TRADEMARK OFFICE**

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U.S. Patent No. 9,527,612

PGR2017-00015

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**CERTIFICATE OF SERVICE**

**USPTO DIRECTOR AND FEDERAL CIRCUIT**

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I hereby certify that the original version of this **PETITIONER'S NOTICE OF APPEAL** is being sent by mail on December 12, 2018, to the Director of the United States Patent and Trademark Office at the address below:

Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel  
Madison Building East, 10B20  
600 Dulany Street  
Alexandria, VA 22314-5793

I further certify that, pursuant to Federal Circuit Rule 15(a)(1), one (1) true and correct paper copy of this **PETITIONER'S NOTICE OF APPEAL** is being sent by mail on December 12, 2018, to the Clerk's Office of the United States Court of Appeals for the Federal Circuit at the address below:

Clerk of Court  
United States Court of Appeals for the Federal Circuit  
717 Madison Place, N.W., Suite 401  
Washington, D.C. 20439

I further certify that, pursuant to Federal Circuit Rule 25(b)(1), this **PETITIONER'S NOTICE OF APPEAL** is being filed with the Federal Circuit in Portable Document Format (PDF) via the CM/ECF system on December 12, 2018. In addition, I further certify that payment of the required fees is being made via pay.gov on December 12, 2018.

Dated: December 12, 2018

/s Robert T. Maldonado/  
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**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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TELEBRANDS CORP.  
Petitioner,

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TINNUS ENTERPRISES, LLC.  
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U.S. Patent No. 9,242,749

PGR2016-00030

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**CERTIFICATE OF SERVICE**  
**PTAB AND PATENT OWNER'S COUNSEL**

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I hereby certify that, the foregoing **PETITIONER'S NOTICE OF APPEAL** is being filed electronically, pursuant to 37 C.F.R. §§ 90.2 and 42.6(b), via the Patent Trial and Appeal Board's E2E system on December 12, 2018.

I further certify that, a copy of the foregoing **PETITIONER'S NOTICE OF APPEAL** is being served on December 12, 2018, on Patent Owner's counsel of record, by electronic service to the following electronic mail addresses:

rsterne-ptab@skgf.com  
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Dated: December 12, 2018

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