

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TECHNICAL CONSUMER PRODUCTS, INC.,
NICOR INC., AMAX LIGHTING,
Petitioners,

LEEDARSON LIGHTING CO., LTD. and
LEEDARSON AMERICA, INC.
Joinder Petitioners,¹

JIAWEI TECHNOLOGY (HK) LTD.,
JIAWEI TECHNOLOGY (USA) LTD., AND
SHENZHEN JIAWEI PV LIGHTING CO., LTD.,
Joinder Petitioners²

v.

LIGHTING SCIENCE GROUP CORP.
Patent Owner

Case No. IPR2017-01280
PATENT NO. 8,967,844

PETITIONERS' NOTICE OF APPEAL

¹ Pursuant to the Board's May 14, 2018 Order (Paper 20), IPR2018-00271 has been joined with this proceeding.

² Pursuant to the Board's May 14, 2018 Order (Paper 19), IPR2018-00261 has been joined with this proceeding.

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

Pursuant to 37 C.F.R. § 90.2(a) and 35 U.S.C. § 142, Petitioners respectfully give Notice that they hereby appeal, to the United States Court of Appeals for the Federal Circuit, the Patent Trial and Appeal Board's ("Board") Final Written Decision, dated October 31, 2018, that claim 4 of U.S. Patent No. 8,967,844 has not been shown to be unpatentable, and from all other underlying orders, decisions, rulings, and opinions that are adverse to Petitioners.³

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii), Petitioners' appeal may include issues related to the Board's interpretation of the prior art; the Board's assessment of the motivation to combine prior art references; the Board's decision that Petitioners have not demonstrated, by a preponderance of the evidence, that claim 4 is unpatentable under § 103(a) over the combination of prior art references Zhang (United States Patent No. 7,722,227), Soderman (United States Patent No. 7,980,736), and Silescent Lighting Corp's S100 LP2 Product Sheet and Installation Guide, and any

³ Petitioners are simultaneously filing a Notice of Appeal from IPR2017-01287 regarding U.S. Patent No. 8,201,968 which the Board consolidated with the instant IPR and patent for the purposes of the final hearing.

findings or determinations supporting or related to those issues, as well as all other issues decided adversely to the Petitioners in any orders, decisions, rulings, and opinions.

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

Date: January 2, 2019

Respectfully submitted,

/Jason G. Harp/

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*Attorneys for Petitioners Technical Consumer
Products, Inc., Nicor Inc., and Amax Lighting*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e)(4), I hereby certify that on January 2, 2019, I caused a true and accurate copy of the foregoing Petitioners' Notice of Appeal to be served upon counsel of record via email.

Additionally, the undersigned hereby certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's PTAB E2E Filing System, a true and accurate copy of the Petitioners' Notice of Appeal was provided via Federal Express on January 2, 2019, to 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
10B20, Madison Building East
600 Dulany Street
Alexandria, Virginia 22314

I also hereby certify that a true and correct copy of the foregoing Petitioners' Notice of Appeal, a copy of the Final Written Decision and the prescribed fees were filed electronically through CM/ECF on January 2, 2018 with the United States Court of Appeals for the Federal Circuit.

/Jason G. Harp/
Jason G. Harp (Reg. No. 42,634)

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