

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SATCO PRODUCTS, INC.,
Petitioner,

v.

LIGHTING SCIENCE GROUP CORP.,
Patent Owner

Case IPR2017-01638
Patent 8,201,968 B2

PETITIONER'S NOTICE OF APPEAL

Director of the United States Patent and Trademark Office
Office of the Solicitor
United States Patent and Trademark Office Mail Stop 8
Post Office Box 1450
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. § 90.2(a) and 35 U.S.C. § 142, Petitioner Satco Products, Inc. (“Petitioner”) respectfully gives 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 January 7, 2019, that claims 1, 2, 6, 11, 13, 14, 15 and 19-23 of U.S. Patent No. 8,201,968 have not been shown to be unpatentable, and from all other underlying orders, decisions, rulings, and opinions that are adverse to Petitioner.¹

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 legal errors in undertaking the anticipation or obviousness analysis; the Board’s decision that Petitioners have not demonstrated, by a preponderance of the evidence, that (1) claims 1, 2, 6, 14, and 15 are anticipated under 35 U.S.C. § 102 by Chou; (2) claims 19–23 are unpatentable under 35 U.S.C. § 103 over Chou; (3) claim 11 is unpatentable under 35 U.S.C. § 103 over Chou and Roberge; (4) claims 1, 2, 6, 11, 14, and 15 are anticipated under 35

¹ Petitioner is simultaneously filing a Notice of Appeal from IPR2017-01639 regarding U.S. Patent No. 8,967,844 which the Board consolidated with the instant IPR and patent for the purposes of the final hearing.

U.S.C. § 102 by Roberge; (5) claims 1, 2, 6, 11, 14, and 15 are unpatentable under 35 U.S.C. § 103 over Roberge; (6) claim 11 is unpatentable under 35 U.S.C. § 103 over Soderman and Roberge; and (7) claims 1, 2, 6, 13, 15, and 20 are unpatentable under 35 U.S.C. § 103 over Tickner, ULE 5000, and Van De Ven and any findings or determinations supporting or related to those issues, as well as all other issues decided adversely to the Petitioner 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.

Dated: March 11, 2019

Respectfully submitted,

Satco Products, Inc.

Petitioner

/s/ Robert S. Rigg
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e)(4), I hereby certify that on March 11, 2019, I caused a true and accurate copy of the foregoing Petitioner’s 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 Petitioner’s Notice of Appeal was mailed via Federal Express on March 11, 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 Solicitor
United States Patent and Trademark Office Mail Stop 8
Post Office Box 1450
Alexandria, Virginia 22313-1450

I also hereby certify that a true and correct copy of the foregoing Petitioner’s Notice of Appeal, a copy of the Final Written Decision was express mailed on March 11, 2019 to the United States Court of Appeals for the Federal Circuit.

/Robert S. Rigg/

Robert S. Rigg (Reg. No. 36,991)