

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNITED INDUSTRIES CORPORATION,
Petitioner

v.

SUSAN McKNIGHT, INC.,
Patent Owner

Case IPR2017-01687

Patent No. 9,066,511

Title: Crawling Arthropod Intercepting Device and Method

PETITIONER'S NOTICE OF APPEAL

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

Pursuant to 37 C.F.R. § 90.2(a), notice is hereby given that Petitioner United Industries Corporation (“United”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision in IPR2017-01687 entered on January 22, 2019 (Paper No. 31) and from all underlying and subsequent findings, orders, decisions, rulings, and opinions, including without limitation, those within the Decision on Institution of *Inter Partes* Review entered on January 23, 2018 (Paper No. 7).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the issues on appeal include whether the Patent Trial and Appeal Board erred in finding that United had failed to demonstrate by a preponderance of the evidence that (i) claims 1-4 and 7-10 of U.S. Patent No. 9,066,511 (“the ’511 patent”) are unpatentable under 35 U.S.C. § 103 over Anderson, Lang, and Lyng; (ii) claims 5, 6, 11, and 12 of the ’511 patent are unpatentable under 35 U.S.C. § 103 over Anderson, Lang, Lyng, and Jennerich; (iii) claims 1-12 of the ’511 patent are unpatentable under 35 U.S.C. § 103 over Denton, Lang, Lyng, and Jennerich; and (iv) claims 1-4 and 7-10 of the ’511 patent are unpatentable under 35 U.S.C. § 103 over Beach, Lang, and McKnight ’812.

Respectfully submitted,

Dated: March 25, 2019

By: *Michael R. Houston*

Michael R. Houston
Reg. No. 58,486
Counsel for Petitioner

CERTIFICATE OF FILING AND SERVICE

Pursuant to 37 C.F.R. §§ 42.6(b)(1) and 90.2(a)(1), the undersigned hereby certifies that on March 25, 2019, the foregoing PETITIONER'S NOTICE OF APPEAL is being filed electronically with the Patent Trial and Appeal Board through the Board's End-to-End (E2E) filing system.

Pursuant to 37 C.F.R. § 90.2(a)(2) and Fed. Cir. R. 15, the undersigned further certifies that a copy of the foregoing PETITIONER'S NOTICE OF APPEAL is also being filed using the Federal Circuit's CM/ECF, along with payment of \$500 and a copy of the decision for which review is being sought.

A copy of each of the documents being filed with the Federal Circuit is being delivered by hand to the Director of the United States Patent and Trademark Office, at the following address:

Office of the General Counsel 10B20
Madison Building East
600 Dulany Street
Alexandria, Virginia 22314

A copy of each of the documents being filed with the Federal Circuit is being served electronically via email upon counsel of record pursuant to the agreement of the parties to the following:

John Linderman (lind@ip-lawyers.com)
Justin Durelli (durelli@ip-lawyers.com)

Dated: March 25, 2019

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