

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LONGI GREEN ENERGY TECHNOLOGY CO., LTD.,
LONGI SOLAR TECHNOLOGY CO., LTD.,
LONGI (H.K.) TRADING LTD.,
LONGI (KUCHING) SDN. BHD.,
LONGI SOLAR TECHNOLOGY (TAIZHOU) CO., LTD.,
LONGI SOLAR TECHNOLOGY (ZHEJIANG) CO., LTD.,
LONGI SOLAR TECHNOLOGY (HEFEI) CO., LTD.,
AND LONGI SOLAR TECHNOLOGY (US), INC.,
Petitioner,

v.

HANWHA Q CELLS & ADVANCED MATERIALS CORP.,
Patent Owner.

IPR2019-01072
PATENT NO. 9,893,215 B2

PATENT OWNER'S NOTICE OF APPEAL

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a) and 35 U.S.C. §§ 141(c), 142, and 319, that Patent Owner Hanwha Solutions Corp. appeals to the United States Court of Appeals for the Federal Circuit from the Final Written decision of the Patent Trial and Appeal Board in Case No. IPR2019-01072, entered December 3, 2020 (Paper No. 38). For the limited purpose of providing the Director with the information specified in 37 C.F.R. § 90.2(a)(3)(ii), Petitioner indicates that the issues on appeal may include, but are not limited to, the following:

1. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that claims 12-14 of U.S. Patent No. 9,893,215 (“the ’215 Patent”) are unpatentable.
2. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that claims 12-14 are unpatentable under 35 U.S.C. § 103 as obvious in view of U.S. Patent Application Publication No. 2004/0112426 A1 to Hagino (“Hagino”);
3. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that claims 12-14 are unpatentable under 35 U.S.C. § 103 as obvious in view of Hagino in view of F. Duerinckx and J. Szlufcik, “Defect passivation of industrial multicrystalline solar cells based on PECVD silicon nitride,” *Solar Energy Materials & Solar Cells* 72 (2002) 231–246 (“Duerinckx”) and B. Hoex, et al. “Ultralow surface recombination of c-SI substrates passivated by plasma-assisted atomic layer deposited Al₂O₃,” *Applied Physics Letters* 89, 042112 (2006) (“Hoex 2006”);

4. Whether the PTAB erred in all other prior interlocutory and underlying orders, decisions, rulings, findings and opinions decided adversely to Patent Owner, including procedural orders, discovery orders, or other findings and determinations.

Simultaneous with this submission and in accordance with 37 C.F.R.

§ 90.2(a), a copy of this Notice of Appeal is being filed with the Director of the United States Patent and Trademark Office, filed with the Patent Trial and Appeal Board, and served upon Petitioner in accordance with 37 C.F.R. § 42.6(e). In addition, this Notice of Appeal, along with the required docketing fees, is being filed with the Clerk's Office for the United States Court of Appeal for the Federal Circuit in accordance with Fed. Cir. R. 15(a)(1).

Respectfully submitted,

Date: February 3, 2021

By: /James Glass/
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Counsel for Hanwha Solutions Corp.

CERTIFICATE OF FILING

The undersigned hereby certifies that, in addition to being filed electronically via PTAB E2E, the foregoing document was filed by Express Mail on February 3, 2021, with the Director of the United States Patent and Trademark Office, at the following address: Director of the United States Patent and Trademark Office c/o Office of the General Counsel, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450.

CERTIFICATE OF FILING

The undersigned hereby certifies that a true and correct copy of the foregoing document was filed electronically by CM/ECF on February 3, 2021, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit.

CERTIFICATE OF SERVICE (37 C.F.R. §§ 42.6(E), 42.105(A))

The undersigned hereby certifies that the foregoing document was served in its entirety on February 3, 2021 upon the following parties via Electronic Mail.

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Case IPR2019-01072

Patent No. 9,893,215

Date: February 3, 2021

By: /Sean Gloth/

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