

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PETROLEUM GEO-SERVICES INC.,

Petitioner,

v.

WESTERNGECO LLC,

Patent Owner.

Case IPR2014-01477

U.S. Patent No. 7,080,607

**PATENT OWNER'S NOTICE OF APPEAL TO THE
U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner, WESTERNGECO LLC, hereby appeals and/or petitions for a writ of mandamus to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on March 16, 2016 (Paper No. 65) (the "Final Written Decision"), the Decision on Request for Rehearing entered on June 16, 2016 (Paper No. 68) (the "Decision on Rehearing"), and from all underlying orders, decisions, rulings and opinions regarding U.S. Patent No. 7,080,607 ("the '607 Patent").

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner further indicates that the issues may include the following, as well as any underlying findings, determinations (including claim constructions), rulings, decisions, opinions, or other related issues:

- The Board's holding that claims 16 and 17 are rendered obvious by the '636 PCT and Gikas;
- The Board's holding that claims 18-20 are rendered obvious by the '636 PCT, Gikas, and Spink;
- The Board's holding that claims 21-23 are rendered obvious by the '636 PCT, Gikas, Spink, and the '394 PCT;
- The construction of claims 15-23;

- Secondary considerations of non-obviousness;
- Petitioner's failure to identify all real parties-in-interest;
- Whether Petitioner is in privity with Ion Geophysical Corporation and ION International S.A.R.L.;
- Whether the Petition is time-barred under 35 U.S.C. § 315(b);
- The Board's denial of additional discovery regarding real party-in-interest and privity; and
- Whether Patent Owner was afforded due process in this proceeding.

A copy of this Notice of Appeal to the United States Court of Appeals for the Federal Circuit is being simultaneously filed with the Office of the General Counsel for the U.S. Patent and Trademark Office via U.S. First-Class Mail to 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
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314

Additionally, a copy of this Notice of Appeal to the United States Court of Appeals for the Federal Circuit is being simultaneously filed electronically with the Clerk's Office for the United States Court of Appeals for the Federal Circuit via the CM/ECF Document Filing System along with the required filing fee of \$500.00

Patent Owner's Notice of Appeal
Case IPR2014-01477
U.S. Patent No. 7,080,607

via the "Pay.gov" website.

Respectfully submitted,

Oblon, McClelland, Maier &
Neustadt, LLP

Dated: July 12, 2016

/Michael L. Kiklis/

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of PATENT OWNER'S NOTICE OF APPEAL TO THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT on the counsel of record for the Petitioner by filing this document through the Patent Review Processing System as well as delivering a copy via electronic mail to the following addresses:

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