

Filed on behalf of: Mallinckrodt Hosp. Prods. IP Ltd.

Entered: September 16, 2016

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PRAXAIR DISTRIBUTION, INC.,
Petitioner,

v.

MALLINCKRODT HOSPITAL PRODUCTS IP LTD.,
Patent Owner.

Case IPR2015-00529
U.S. Patent No. 8,846,112 B2

Before LORA M. GREEN, TINA E. HULSE, and
ROBERT A. POLLOCK, *Administrative Patent Judges.*

**PATENT OWNER'S
NOTICE OF CROSS-APPEAL**

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), Federal Rule of Appellate Procedure 4(a)(3) and Federal Circuit Rule 15, that Patent Owner Mallinckrodt Hospital Products IP Ltd., (“Patent Owner”) hereby cross-appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered by the Patent Trial and Appeal Board (the “Board”) on July 7, 2016 (Paper 53) (the “Final Written Decision,” a copy of which is attached hereto) and from all underlying orders, decisions, rulings, and opinions.

This notice is timely because Petitioner Praxair Distribution, Inc. filed a notice of appeal on September 6, 2016. That appeal was assigned Case No. 16-2616.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner further indicates that the expected issues on appeal include the Board’s decision that claims 1, 7, 12, and 14 of the patent-at-issue are anticipated and obvious, that claims 1-8 and 10-19 of the patent-at-issue are obvious, and any underlying or related orders, decisions, rulings, and opinions.

Simultaneous with this submission, a copy of this Notice of Cross-Appeal is being filed with the Board, as well as with the Clerk of the United States Court of Appeals for the Federal Circuit.

Case IPR2015-00529
U.S. Patent No. 8,846,112

Dated: September 16, 2016

Respectfully submitted,

By: /s/ Robert Steinberg
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Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that, on this 16th day of September, 2016, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS), the foregoing Patent Owner's Notice of Cross-Appeal was delivered by hand to the Director of the United States Patent and Trademark Office, at the following address pursuant to 37 C.F.R. § 104.2:

Office of the General Counsel
United States Patent and Trademark Office
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314-5793

I further certify that, on this 16th day of September, 2016, a copy of the foregoing Patent Owner's Notice of Cross-Appeal, along with the required docketing fee, was submitted electronically through the United States Court of Appeals for the Federal Circuit's CM/ECF system.

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 16th day of September, 2016, a true and correct copy of the foregoing Patent Owner's Notice of Cross-Appeal was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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Case IPR2015-00529
U.S. Patent No. 8,846,112

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