

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

J SQUARED, INC. d/b/a UNIVERSITY LOFT COMPANY
Petitioner

v.

SAUDER MANUFACTURING COMPANY
Patent Owner

Case IPR2015-00958
Patent No. 8,585,136

CHAIR WITH COUPLING
COMPANION STOOL BASE

**PATENT OWNER'S NOTICE OF CROSS-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, Sauder Manufacturing Company, hereby cross-appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on June 27, 2016 (Paper No. 35), and from all underlying orders, decisions, rulings and opinions regarding claims 1, 2 and 4-14 of U.S. Patent No. 8,585,136 (“the ‘136 Patent”).

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

1. The Board erred in finding that Petitioner J Squared has shown by a preponderance of the evidence that claims 1, 2, 8, 9 and 11 are unpatentable as obvious from the teachings of Yu, U.S. Patent No. 6,554,353 (Exh. 1002) and Clark, U.S. Patent No. 4,285,543 (Exh. 1004); and

2. The Board erred in finding Patent Owner's evidence of commercial success, industry praise, and copying did not show that the invention as defined by claims 1, 2, 8, 9, and 11 was non-obvious.

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 the Appeal to the United States Court of the 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.

Respectfully submitted,

YOUNG BASILE HANLON & MACFARLANE PC

/s/Thomas N. Young

THOMAS N. YOUNG

Registration No. 20985

Attorney for Patent Owner

Young Basile Hanlon & MacFarlane P.C.

3001 W. Big Beaver Rd. Suite 624

Troy, MI 48084

(248) 649-3333

Dated: September 9, 2016

USPTO Customer No. 48980

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), the undersigned certifies service of PATENT OWNER'S NOTICE OF CROSS-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 PTAB E2E System as well as delivering a copy via electronic mail to the following addresses:

bahret@bahretlaw.com
CPdocketMcKeown@oblon.com
SRost@taftlaw.com

/s/Thomas N. Young

Christine David

From: PTABE2E_System@uspto.gov
Sent: Friday, September 09, 2016 3:30 PM
To: Christine David
Subject: Appeal Filed IPR2015-00958



**UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRIAL AND APPEAL BOARD**

Filing Courtesy Notice

Please note the following filing:

AIA Review Number: IPR2015-00958
Filer: J Squared, Inc. d/b/a University Loft Company
Filing Date: 09/09/2016
Filing Party: PATENTOWNER
Appeal Type: AIA REVIEW APPEAL
Appeal Decision: AWAITING_DECISION

Document List

Paper Name	Type	Paper / Exhibit Number	Availability
------------	------	------------------------	--------------

Questions regarding this receipt should be directed to the Patent Trial and Appeal Board at 571-272-7822. This e-mail is computer-generated. Do not reply because this e-mail address is not monitored.