

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UMICORE AG & CO. KG,  
Petitioner,

v.

BASF CORPORATION,  
Patent Owner.

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Case IPR2015-01125  
Patent No. 7,601,662

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**PATENT OWNER BASF CORPORATION'S NOTICE OF APPEAL  
UNDER 37 C.F.R. § 90.2(a)**

Pursuant to 37 C.F.R. § 90.2(a), notice is hereby given that Patent Owner BASF Corporation (“BASF”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision (Paper No. 53) (the “Final Written Decision”), in IPR2015-01125, entered on October 26, 2016, by the United States Patent and Trademark Office, Patent Trial and Appeal Board (“PTAB”), and from all underlying orders, decisions, rulings, and opinions. A copy of the Final Written Decision is attached hereto as Exhibit A.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), BASF further indicates that the issues on appeal may include, but are not limited to, the PTAB’s determination that claims 1, 2, 5, 6, 12-24, 30, and 32-38 of U.S. Patent Number 7,601,662 have been shown to be unpatentable under 35 U.S.C. § 103 in view of the grounds of unpatentability identified in the Board’s Final Written Decision, challenges to any findings supporting the determination, the Board’s failure to properly consider evidence of record, the Board’s legal errors in undertaking the obviousness analysis, the Board’s finding that conflict with the evidence of record and are not supported by substantial evidence, and other issues decided adversely to Patent Owner.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the PTAB through the Patent Trial and Appeal Board End to End (“PTAB E2E”) System. In addition, a copy of the Notice of Appeal, along with the

required docketing fee, are being filed with the Clerk's office for the United States Court of Appeals for the Federal Circuit.

Dated: December 27, 2016

Respectfully submitted,

*/ Anish R. Desai /*

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### **CERTIFICATE OF FILING**

It is certified that, in addition to being filed electronically through the PTAB E2E System, the original version of Patent Owner BASF Corporation's Notice of Appeal has been sent via priority mail on December 27, 2016 with the Director of the United States Patent and Trademark Office, at the following address:

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

### **CERTIFICATE OF FILING**

It is certified that a true and correct copy of Patent Owner BASF Corporation's Notice of Appeal has been filed via CM/ECF on December 27, 2016, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 27, 2016, the foregoing **PATENT OWNER BASF CORPORATION'S NOTICE OF APPEAL** was served via electronic mail, upon the following:

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