

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

STEADYMED LTD.
Petitioner

v.

UNITED THERAPEUTICS CORPORATION
Patent Owner

U.S. Patent No. 8,497,393

Issue Date: Jul. 30, 2013

Title: PROCESS TO PREPARE TREPROSTINIL, THE ACTIVE
INGREDIENT IN REMODULIN®

Case IPR2016-00006

Patent Owner's Notice of Appeal
37 C.F.R. § 90.2

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner United Therapeutics Corporation hereby, pursuant to 37 C.F.R. § 90.2(a), provides notice that it is appealing 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 March 31, 2017 (attached hereto).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner further indicates that the issues on appeal may include, without limitation:

- Whether the Board erred in finding that claims 1-5, 7-9, 11-14, and 16-20 of U.S. Patent No. 8,497,393 are unpatentable under 35 U.S.C. § 102;
- Whether the Board erred in finding that claims 1-22 of U.S. Patent No. 8,497,393 are unpatentable under 35 U.S.C. § 103; and
- Whether the Board erred in denying Patent Owner’s Motion to Exclude Evidence.

Copies of this Notice of Appeal are being filed simultaneously with the Director, the Patent Trial and Appeal Board, and the Clerk of the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Date: May 31, 2017

/Stephen B. Maebius/
Stephen B. Maebius
Registration No. 35,264
Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice of Appeal was served on counsel of record on May 31, 2017 by filing this document through the PTAB E2E Processing System as well as delivering a copy via email to the counsel of record for the Petitioner at the following address: Steadymed-IPR@dlapiper.com.

Date: May 31, 2017

/Stephen B. Maebius/
Stephen B. Maebius
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