

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CANON INC., CANON U.S.A., INC.,
CANON FINANCIAL SERVICES, INC., FUJIFILM CORPORATION,
FUJIFILM HOLDINGS AMERICA CORPORATION,
FUJIFILM NORTH AMERICA CORPORATION, JVC KENWOOD
CORPORATION, JVCKENWOOD USA CORPORATION,
NIKON CORPORATION, NIKON INC., OLYMPUS CORPORATION,
OLYMPUS AMERICA INC., PANASONIC CORPORATION, PANASONIC
CORPORATION OF NORTH AMERICA,
SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner

v.

PAPST LICENSING GMBH & CO., KG
Patent Owner

Inter Partes Review No. IPR2016-01213

U.S. Patent No. 8,504,746

**PATENT OWNER'S NOTICE OF APPEAL
TO THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Papst Licensing GmbH & Co. KG ("Papst") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board's ("PTAB") Final Written Decision in Case No. IPR2016-01213 entered December 11, 2017 ("Final Written Decision"), and from all underlying orders, decisions, rulings, and opinions which adversely affected Papst.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Papst further indicates that the issues on appeal include, but are not limited to, the Board's determination of unpatentability of claims 1–3, 6–10, 15, 17–19, 21, 23, 24, 25, 31, 34, and 35 of U.S. Patent No. 8,504,746 ("the '746 patent") under 35 U.S.C. § 103; the Board's claim construction determinations; the Board's application of its construction to the facts of record; the Board's consideration of the record evidence, including but not limited to expert testimony; and all findings or determinations supporting or related to those issues, as well as any other issues decided adversely to Papst in any orders, decisions, rulings and opinions.

Pursuant to 37 C.F.R. § 90.2(a)(1) and (a)(2), and as reflected in the attached Certificate of Service, this Notice of Appeal is being electronically filed with the Patent Trial and Appeal Board through the PRPS System and the United States Court of Appeals for the Federal Circuit through the CM/ECF

System along with the requisite filing fee. A copy is also being served on the Office of the General Counsel at the U.S. Patent and Trademark Office.

Respectfully Submitted,

Dated: February 6, 2018

By: /Michael R. Fleming/
Michael R. Fleming

Michael R. Fleming
Reg. No. 67,933
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
Telephone: (310) 277-1010
Facsimile: (310) 203-7199
MFleming@irell.com

CERTIFICATE OF FILING AND SERVICE

The undersigned certifies in accordance with 37 C.F.R. § 42.6(e) that on February 6, 2018, a copy of the foregoing **PATENT OWNER'S NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT** was served via email on the Petitioners at:

PapstPTABPetitioners@Jonesday.com

via U.S. Mail at the address of record for lead counsel at:

Gregory S. Cordrey
Jeffer Mangels Butler & Mitchell, LLP
3 Park Plaza, Suite 1100
Irvine, CA 92614

I also certify that in addition to being filed electronically with the Board through its PRPS System, the original of the foregoing Notice of Appeal is being served, pursuant to 37 C.F.R. § 104.2, by hand on February 6, 2018 to the United States Patent and Trademark Office at the following address: Office of the General Counsel, 10B20, Madison Building East, 600 Dulany Street, Alexandria, Virginia.

I further certify that a copy of the foregoing Notice of Appeal was filed via CM/ECF on February 6, 2018, with the United States Court of Appeals for the Federal Circuit.

Dated: February 6, 2018

By: /s/ Rose Kautz
Rose Kautz