

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

REACTIVE SURFACES LTD. LLP,

Petitioner,

v.

TOYOTA MOTOR CORPORATION,

Patent Owner.

Case IPR2016-01914

Patent No. 8,394,618 B2

TOYOTA MOTOR CORPORATION'S NOTICE OF APPEAL

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Toyota Motor Corporation appeals under 35 U.S.C. §§ 141 and 142 to the United States Court of Appeals for the Federal Circuit from the Final Written Decision (Paper 64) of the United States Patent and Trademark Office Patent Trial and Appeal Board (the “Board”) entered on March 1, 2018 in *Inter Partes* Review IPR2016-01914 involving U.S. Patent No. 8,394,618 B2, and from the following underlying orders and decisions:

- Decision on Institution of *Inter Partes* Review (Paper 26) entered on March 23, 2017, to the extent that any aspect of said decision is appealable; and
- Order on Conduct of the Proceeding (Paper 53) entered on November 17, 2017.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner indicates that the issues on appeal may include the Board’s determination that claims 1-11 are unpatentable under 35 U.S.C. § 103(a), its claim constructions, its decision not to strike new arguments and evidence in Petitioner’s reply (*see* Paper 53), and any finding or determination supporting or relating to these issues, as well as all other issues decided adversely to Patent Owner in the Final Written Decision.

Copies of this Notice of Appeal are being filed simultaneously with the Director of the United States Patent and Trademark Office, the Board, and the

Clerk of the United States Court of Appeals for the Federal Circuit, along with the filing fee to the Federal Circuit.

Dated: April 30, 2018

/s/ Joshua A. Lorentz
Joshua A. Lorentz
Reg. No. 52,406
Dinsmore & Shohl LLP
255 E. Fifth St., Ste. 1900
Cincinnati, OH 45202
T: (513) 977-8200
E: joshua.lorentz@dinsmore.com
Attorney for Patent Owner
Toyota Motor Corporation

CERTIFICATE OF FILING

I hereby certify that, in addition to being filed electronically through the Board's E2E filing system, the foregoing TOYOTA MOTOR CORPORATION'S NOTICE OF APPEAL was filed by Priority Mail Express on this 30th day of April, 2018 with the Director of the United States Patent and Trademark Office, at 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
P.O. Box 1450, Alexandria, VA 22313-1450

I also hereby certify that a true and correct copy of the foregoing TOYOTA MOTOR CORPORATION'S NOTICE OF APPEAL, along with the required filing fee, was filed electronically by CM/ECF on this 30th day of April, 2018, with the United States Court of Appeals for the Federal Circuit, and that a paper copy was sent to the Federal Circuit's Clerk's Office at the following address:

United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, DC 20439

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing TOYOTA MOTOR CORPORATION'S NOTICE OF APPEAL was served by electronic mail on this 30th day of April, 2018 on counsel of record for Petitioner as follows:

David O. Simmons (dsimmons@ivcpatentagency.com)
Jonathan D. Hurt (jhurt@technologylitigators.com)
Mark A.J. Fassold (mfassold@wattsguerra.com)
Jorge Mares (jmares@wattsguerra.com)
Rico Reyes (rico@ricoreyeslaw.com)

Dated: April 30, 2018

/s/ Joshua A. Lorentz
Joshua A. Lorentz
Reg. No. 52,406
Attorney for Patent Owner
Toyota Motor Corporation