

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WALMART INC.; Z-SHADE CO., LTD.;
COSTCO WHOLESALE CORPORATION;
LOWE'S HOME CENTERS, LLC; and
SHELTERLOGIC CORP.,
Petitioner,

v.

CARAVAN CANOPY INTERNATIONAL, INC.,
Patent Owner.

Case No. IPR2020-01026
Patent No. 5,944,040
Issue Date: AUGUST 31, 1999
Title: COLLAPSIBLE TENT FRAME

PATENT OWNER'S NOTICE OF APPEAL

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Caravan Canopy International, Inc. (“Patent Owner”) appeals 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 November 22, 2021 (Paper 57) (the “Final Written Decision,” a copy of which is attached hereto as Exhibit A).

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 determining that Petitioner has shown by a preponderance of the evidence that any of the challenged claims of U.S. Patent No. 5,944,040 are unpatentable as obvious, along with all reasons, findings, opinions, and orders leading thereto or underlying that decision.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office, and a copy of this Notice is being concurrently filed with PTAB. In addition, a copy of the Notice of Appeal, along with the required docketing fee, is being filed with the Clerk of Court for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Date: April 13, 2022

/Joshua N. Osborn/

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Counsel for Patent Owner

Caravan Canopy International, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 13, 2022, a copy of this **Patent Owner's Notice of Appeal** has been: (a) e-filed with the Patent Trial and Appeal Board via E2E, in accordance with 37 C.F.R. § 42.6(b)(1) and 37 C.F.R. § 90.2(a)(1); (b) filed by hand with the Director of the United States Patent and Trademark Office c/o Office of the General Counsel, Madison Building East, 10B20 600 Dulany Street, Alexandria, VA 22314-5793; (c) filed via CM/ECF with the Clerk's Office of the U.S. Court of Appeals for the Federal Circuit, pursuant to Federal Circuit Rule 52(a)(2); (d) served via e-mail on Petitioners' lead and backup counsel at the following addresses, pursuant to 37 C.F.R. § 42.6(e):

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