

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARKEMA AND ARKEMA FRANCE
Petitioner,

v.

HONEYWELL INTERNATIONAL INC.,
Patent Owner.

Case No.: PGR2016-00011
Patent No.: 9,157,017

**PATENT OWNER'S OBSERVATIONS ON
STATEMENTS IN PETITIONER'S REPLY**

Pursuant to the Board's Order (Paper 39), Patent Owner submits these observations on statements in Arkema's Reply (Paper 31).

Mischaracterization of Mexichem White Paper as Discussing Automobile Air Conditioning in 1997

At page 2 lines 2-11 of its Reply Arkema mischaracterizes the Mexichem White Paper (Ex. 2071).

Mischaracterization of Its Own Patent Application as Unrelated to Automobile Air Conditioning Stability

At page 16 line 10 through page 17 line 8 of its Reply Arkema mischaracterizes the prosecution history of its patent application (Ex. 2069).

Mischaracterization of Dr. DesMarteau as Not Considering End-Capping

At page 14 line 15 through page 15 line 6 of its Reply Arkema mischaracterizes Dr. DesMarteau's declaration (Ex. 2161 ¶ 41) and deposition testimony (Ex. 1178 at 42:18-22; 43:13-19).

Mischaracterization of Dr. DesMarteau's Testimony as Expecting Short Free-Radical Lifetimes

At page 15 lines 14-17 of its Reply Arkema mischaracterizes Dr. DesMarteau's deposition testimony (Ex. 1178 at 45:10-50:7).

Mischaracterization of Dr. DesMarteau's Testimony Regarding Dimerization

At page 15 line 18 through page 16 line 6 of its Reply Arkema mischaracterizes Dr. DesMarteau's declaration (Ex. 2161 ¶ 31) and deposition testimony (Ex. 1178 at 12:11-12:2; 28:23-29:11).

Mischaracterization of the Banks Article

At page 19 lines 3-9 of its Reply Arkema mischaracterizes the Banks article (Ex. 1169).

Mischaracterization of Dr. Whittaker as Not Being a POSITA

At page 20 lines 16-18 of its Reply Arkema mischaracterizes Dr. Whittaker's deposition testimony (Ex. 1176 at 93:16-95:7).

Mischaracterization of Dr. DesMarteau's Expertise

At page 13 lines 5-10 of its Reply Arkema mischaracterizes Dr. DesMarteau's expertise (Ex. 1178 at 5:23-7:3; 36:10-37:11).

Date: April 12, 2017

Respectfully submitted,

/s/ Gregg F. LoCascio, P.C.

Eugene Goryunov (Reg. No. 61,579)
egoryunov@kirkland.com
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, Illinois 60654
Telephone: (312) 862-2000
Fax: (312) 862-2200

Gregg F. LoCascio, P.C. (Reg. No. 55,396)
Noah Frank (Reg. No. 67,279)
glocascio@kirkland.com
noah.frank@kirkland.com
KIRKLAND & ELLIS LLP
655 Fifteenth Street, NW
Suite 1200
Washington, DC 20005
Telephone: (202) 879-5200
Fax: (202) 879-5200

Attorneys For Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Observations on Statements in Petitioner's Reply on April 12, 2017, via electronic mail directed to counsel of record for the Petitioners:

Mark D. Sweet	mark.sweet@finnegan.com
Mark J. Feldstein	mark.feldstein@finnegan.com
Erin M. Sommers	erin.sommers@finnegan.com
Charles W. Mitchell	charles.mitchell@finnegan.com
	Arkema_PTAB@finnegan.com

/s/ Gregg F. LoCascio, P.C. _____
Gregg F. LoCascio, P.C.