

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

JTEKT CORPORATION,

Petitioner,

v.

GKN AUTOMOTIVE LTD.

Patent Owner.

---

Case IPR2016-00046

U.S. Patent No. 8,215,440

---

**PETITIONER'S NOTICE OF APPEAL**

via PTABE2E  
Patent Trial and Appeal Board

First-Class Mail  
Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel, 10B20  
Madison Building East  
600 Dulany Street  
Alexandria, VA 22314

via CM/ECF  
United States Court of Appeals for the Federal Circuit

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Petitioner, JTEKT CORPORATION, hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on January 23, 2017 (Paper No. 27) (the "Final Written Decision"), and from all underlying orders, decisions, rulings and opinions regarding U.S. Patent No. 8,215,440 ("the '440 Patent").

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner further indicates that the issues on appeal may include the following, as well as any underlying findings, determinations (including claim constructions), rulings, decisions, opinions, or other related issues:

The Board erred in finding that Petitioner did not demonstrate that claims 2 and 3 are unpatentable under 35 U.S.C. § 103(a) over Teraoka and Japanese Unexamined Patent Application Publication JP H2-57725 A (Ex. 1003, "Watanabe").

Simultaneously with this submission, Petitioner is providing a true and accurate copy of this Notice of Appeal to the Office of the General Counsel for the U.S. Patent and Trademark Office via U.S. First-Class Mail and submitting via ECF a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit, as set forth in the accompanying Certificate of Filing.

Petitioner's Notice of Appeal  
Case IPR2016-00046  
U.S. Patent No. 8,215,440

Respectfully submitted,

Oblon, McClelland, Maier &  
Neustadt, LLP

Dated: March 24, 2017

/W. Todd Baker/  
W. Todd Baker  
Registration No. 45,265

Customer Number  
22850  
Tel. (703) 413-3000  
Fax. (703) 413-2220

**CERTIFICATE OF FILING**

The undersigned hereby certifies that, in addition to being electronically filed through the PTABE2E system, a true and correct copy of the above-captioned NOTICE OF APPEAL is being provided via first-class mail to 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  
Madison Building East, 10B20  
600 Dulany Street  
Alexandria, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned NOTICE OF APPEAL is being filed via CM/ECF with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Oblon, McClelland, Maier &  
Neustadt, LLP

Dated: March 24, 2017

/W. Todd Baker/  
W. Todd Baker  
Registration No. 45,265

Customer Number  
22850  
Tel. (703) 413-3000  
Fax. (703) 413-2220

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of PETITIONERS' NOTICE OF APPEAL on the counsel of record for the Petitioners by filing this document through the PTABE2E System as well as delivering a copy via electronic mail to the following addresses:

Sangeeta G. Shah  
Kristin L. Murphy  
Brooks Kushman P.C.  
[GKNDL0101IPR@brookskushman.com](mailto:GKNDL0101IPR@brookskushman.com)

Dated: March 24, 2017

/W. Todd Baker/  
\_\_\_\_\_  
W. Todd Baker  
Registration No. 45,265