

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOTIF FOODWORKS, INC.,
Petitioner,

v.

IMPOSSIBLE FOODS INC.,
Patent Owner.

Case No. IPR2023-00206
Patent No. 9,943,096

PATENT OWNER IMPOSSIBLE FOODS' NOTICE OF APPEAL

Patent Owner Impossible Foods Inc. (“Impossible Foods”) appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board’s Final Written Decision in this inter partes review entered on June 12, 2024 (Paper 55), and from all other underlying orders, decisions, rulings, and opinions. 35 U.S.C. §§141(c) and 319. This notice of appeal is timely. 35 U.S.C. §142; 37 C.F.R. §90.2(a).

For the limited purpose of addressing the Director of the United States Patent and Trademark Office’s additional requirements in 37 C.F.R. §90.2(a)(3)(ii), the issues on appeal include the Board’s determination that claims 1-12 and 14-24 of U.S. Patent No. 9,943,096 (“the ’096 patent”) were shown to be unpatentable under 35 U.S.C. §103 in view of the grounds of patentability on which trial was instituted (Paper 23). The issues on appeal also include any finding or determination supporting or related to these issues, as well as all other issues decided adversely to Patent Owner in any order, decision, ruling or opinion.

Impossible Foods is simultaneously filing this notice with the Director and serving it on Petitioner Motif Foodworks, Inc. 37 C.F.R. §§42.6(e), 90.2(a)(1). Impossible Foods is also filing this notice, along with the required fees, with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit. Fed. Cir. R. 15(a)(1).

Respectfully submitted,

Dated: August 13, 2024

/Michael T. Rosato/

Michael T. Rosato, Reg. No. 52,182

Counsel for Impossible Foods Inc.

701 Fifth Avenue, Suite 5100

Seattle, WA 98104

Tel.: 206-883-2529

Email: mrosato@wsgr.com

CERTIFICATES OF FILING AND SERVICE

I hereby certify that, in addition to filing through the Patent Trial and Appeal Board's P-TACTS system, Impossible Foods filed this notice today by Electronic Mail with the Director of the United States Patent and Trademark Office, at the following address: efileSO@uspto.gov.

.....

I hereby certify that Impossible Foods filed a true and correct copy of this notice today by CM/ECF, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit.

.....

I certify that Impossible Foods served a true and correct copy of this notice today at Petitioner's electronic service addresses as follows:

Joseph M. Paunovich
James Glass
Sandra Haberny
Razmig Messerian
Quincy Lu
Sarah Cork

qeimpossibleipr@quinnemanuel.com
qeimpossibleipr@quinnemanuel.com
qeimpossibleipr@quinnemanuel.com
qeimpossibleipr@quinnemanuel.com
qeimpossibleipr@quinnemanuel.com
qeimpossibleipr@quinnemanuel.com

Respectfully submitted,

Dated: August 13, 2024

/Michael T. Rosato/
Michael T. Rosato, Reg. No. 52,182
Counsel for Impossible Foods Inc.