

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

ROBERT BOSCH LLC, and
MERCEDES-BENZ USA, LLC,

Petitioner,

v.

WESTPORT FUEL SYSTEMS CANADA INC.,
Patent Owner.

Case No. IPR2023-00292
U.S. Patent No. 6,298,829

PETITIONER'S NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1295(a)(4)(A), 35 U.S.C. §§ 141(c), 142, and 319, and 37 C.F.R. §§ 90.2(a), 90.3, and Federal Circuit Rule 15(a)(1), Robert Bosch LLC and Mercedes-Benz USA, LLC (“Petitioner”) provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered February 3, 2025 (Paper 37), and from all underlying and related orders, decisions, rulings, institutions, and opinions regarding U.S. Patent No. 6,298,829 (“the ’829 patent”) at issue in *Inter Partes* Review No. IPR2023-00292. This notice of appeal is timely filed because it is filed within 63 days of the February 3, 2025 Final Written Decision.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the expected issues on appeal include, but are not limited to: the Board’s determination that Petitioner did not establish that claims 1-3, 6, 11, 12, 14, 15, and 18-20 of the ’829 patent are unpatentable and all other issues decided adversely to Petitioner in any orders, decisions, rulings, or opinions in this proceeding.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), a copy of this Notice is being filed with the Director of the United States Patent and Trademark Office and with the Patent Trial and Appeal Board. In addition, a copy of this Notice and the required docketing fees are being filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit via CM/ECF.

Dated: February 14, 2025

Respectfully submitted,

/s/ K. Patrick Herman

K. Patrick Herman, Reg. No. 75,018
ORRICK, HERRINGTON & SUTCLIFFE LLP
51 West 52nd Street
New York, NY 10019
Telephone: (212) 506-3596
Email: P52PTABDocket@orrick.com

Counsel for Petitioner
Robert Bosch LLC

Dated: February 14, 2025

Respectfully submitted,

/s/ Celine Jimenez Crowson

Celine Jimenez Crowson, Reg. No. 40,357
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004
Telephone: (202) 637-5600
Email: celine.crowson@hoganlovells.com

Counsel for Petitioner
Mercedes-Benz USA, LLC

CERTIFICATE OF SERVICE AND FILING

I hereby certify that on February 14, 2025, in addition to being filed and served electronically through the Patent Trial and Appeal Board's P-TACTS System, this NOTICE OF APPEAL was filed with the Director of the United States Patent and Trademark Office via Priority Mail Express 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 on February 14, 2025, this NOTICE OF APPEAL and the requisite docketing fees were filed with the Clerk's Office of the United States Court of Appeals for the Federal Circuit vis CM/ECF.

I also hereby certify that on February 14, 2025, this NOTICE OF APPEAL was served via electronic mail to the following counsel at the addresses designated for service by Petitioner:

David W. Higer (dhiger@winstead.com)
Miranda Y. Jones (mjones@winstead.com)
Phillip B. Philbin (pphilbin@winstead.com)
Jamie H. McDole (jmcdoe@winstead.com)
WINSTEAD PC

Respectfully submitted,

/s/ K. Patrick Herman

K. Patrick Herman, Reg. No. 75,018
ORRICK, HERRINGTON & SUTCLIFFE LLP
51 West 52nd Street
New York, NY 10019
Telephone: (212) 506-3596
Email: P52PTABDocket@orrick.com

Counsel for Petitioner