

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ABBOTT LABORATORIES and
ABBOTT DIABETES CARE INC.,

Petitioners,

v.

ALTIVERA LLC,

Patent Owner.

Case No. IPR2024-00425

Patent No. 7,969,307 B2

PATENT OWNER'S NOTICE OF APPEAL

Notice is hereby given that Patent Owner Altivera LLC (“Altivera”) appeals to the United States Court of Appeals for the Federal Circuit under 37 C.F.R. § 90.2(a) and 35 U.S.C. §§ 141–142. Altivera appeals from the Final Written Decision of the Patent Trial and Appeal Board issued July 15, 2025 (Paper No. 46), and from all underlying orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Altivera states that the issues on appeal include, but are not limited to whether the Board erred in determining that claims 1–3, 5, 9, and 10 of U.S. Patent No. 7,969,307 are unpatentable based on the combination of Beck, Heller, and Lovejoy, including all subsidiary findings of fact and conclusions of law with respect to that determination (including, but not limited to, the Board’s failure to address or misapprehension of several of Altivera’s arguments, and the Board’s erroneous finding that such combination disclosed a diagnostic sensor unit with a unique identification ID number).

Pursuant to 37 C.F.R. §§ 42.75(e)(3), 90.3(a)(1), and 90.3(b)(1), this Notice of Appeal is timely filed within 63 days of entry of the ORDER denying Director Review dated September 18, 2025 (Paper No. 49).

Per 35 U.S.C. §142 and 37 C.F.R. § 90.2(a)(1), this notice is being filed with the Director of the U.S. Patent and Trademark Office via email to efileSO@uspto.gov, and a copy is also being filed with the Board. Per Federal Circuit Rule 15(a)(1) and 37 C.F.R. § 90.2(a)(2), Petitioners are also electronically

filing this notice with the United States Court of Appeals for the Federal Circuit through its CM/ECF System, together with the requisite filing fee.

Dated: November 19, 2025 / *David Pekarek Krohn* /

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Respectfully submitted,

Lead Counsel
David Pekarek Krohn, Reg. No. 69,443

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served a true and correct copy of the foregoing: PATENT OWNER'S NOTICE OF APPEAL by email to the electronic service addresses for Petitioners on the date indicated below:

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Inge A. Osman, Inge.Osman@lw.com

Dated: November 19, 2025 / *David Pekarek Krohn* /

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