

DOCKET NO.: 1543925-00158US3

Filed on behalf of Precision Planting, LLC and AGCO Corp.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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PRECISION PLANTING, LLC and AGCO CORP.  
Petitioners

v.

DEERE & COMPANY  
Patent Owner

Case No. IPR2019-01046

U.S. Patent No. 9,480,199

**PETITIONERS' NOTICE OF APPEAL**

Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel  
P.O. Box 1450  
Alexandria, VA 22314-5793

Pursuant to 35 U.S.C. §§ 141-44 and 319, and 37 C.F.R. § 90.2-90.3, notice is hereby given that Petitioners Precision Planting, LLC and AGCO Corp. appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered November 30, 2020 (Paper 97) in IPR2019-01046 (Exhibit A), and all prior and interlocutory rulings related thereto or subsumed therein.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioners further indicate that the issues on appeal include, but are not limited to, whether the Patent Trial and Appeal Board erred in determining that claims 1 and 3 of U.S. Patent No. 9,480,199 were not shown to be unpatentable, any finding or determination supporting or related thereto, and all other issues decided adversely to Petitioners in any orders, decisions, rulings, and opinions, including without limitation the findings as to the motivation to combine the prior art references with a reasonable expectation of success and the propriety of the evidence considered for those findings.

Pursuant to 37 C.F.R. § 90.3, this Notice of Appeal is timely, having been duly filed within 63 days after the date of the Final Written Decision.

A copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board, the Clerk's Office for the United States Court of Appeals for the Federal Circuit, and the Director of the Patent and Trademark Office.

Respectfully Submitted,

Dated: January 22, 2021

/Grant K. Rowan/

Grant K. Rowan, Reg. No. 41,278  
Wilmer Cutler Pickering  
Hale and Dorr LLP

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. §§ 90.2(a)(1) and 104.2(a), I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's End to End (PTAB E2E), a true and correct original version of the foregoing Petitioners' Notice of Appeal is being filed by Express Mail on this 22nd day of January, 2021 with the Director of the United States Patent and Trademark Office, 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

Pursuant to 37 C.F.R. § 90.2(a)(2) and Federal Circuit Rule 15(a)(1), and Rule 52(a),(e), I hereby certify that a true and correct copy of the foregoing Petitioners' Notice of Appeal is being filed in the United States Court of Appeals for the Federal Circuit using the Court's CM/ECF filing system on this 22nd day of January 2021, and the filing fee is being paid electronically using pay.gov.

I hereby certify that on January 22, 2021 I caused a true and correct copy of the Petitioners' Notice of Appeal to be served via e-mail on the following attorneys of record:

Jay I. Alexander, Reg. No. 32,678 (jalexander@cov.com)

Case No. IPR2019-01046; Docket No. 1543925-00158US3  
Petitioners' Notice of Appeal

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Counsel for Patent Owner

*/Grant K. Rowan/*

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Grant K. Rowan  
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