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March 1, 2017

BY HAND DELIVERY

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314-5793

RE: *US Endodontics, LLC v. Gold Standard Instruments, LLC*
Case No. PGR2015-00019
U.S. Patent No. 8,876,991 B2

Dear Sir or Madam:

Enclosed please find Patent Owner Gold Standard Instrument's Notice of Appeal in the above-referenced Post-Grant Review. The Notice of Appeal was also filed electronically with the Patent Trial and Appeal Board and with the Federal Circuit.

Please stamp the enclosed extra copy of the Notice of Appeal indicating your receipt and return it to our courier.

Please contact me should you have any questions.

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Director of the United States Patent and Trademark Office
March 1, 2017
Page 2

Very truly yours,

QUARLES & BRADY LLP

s/Joel A. Austin

Joel A. Austin

JAUSTIN:dh
Enclosures

cc: Counsel of Record (*via e-mail*)

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

US ENDODONTICS, LLC,
Petitioner,

v.

GOLD STANDARD INSTRUMENTS, LLC,
Patent Owner.

Case PGR2015-00019
Patent 8,876,991 B2

PATENT OWNER GOLD STANDARD INSTRUMENTS, LLC'S

NOTICE OF APPEAL

U.S. PATENT
AND
TRADEMARK OFFICE
2015-03-PM12-01

Director of the United States Patent and Trademark Office
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Notice is hereby given, pursuant to 35 U.S.C. §§ 141 and 142, and 37 C.F.R. §§ 90.2(a), 90.3, and 104.2, that Patent Owner, Gold Standard Instruments, LLC (“GSI”), hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on December 28, 2016 (Paper No. 54) (attached hereto as Exhibit 1) by the Patent Trial and Appeal Board (“PTAB”), and from all underlying orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), GSI indicates that the issue(s) on appeal include, but are not limited to:

1. Whether the PTAB erred in its findings and determination that Claims 12-16 of GSI’s U.S. Patent No. 8,876,991 B2 (“’991 Patent”) were eligible under Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) for Post-Grant Review under 42 C.F.R. § 42.200 *et seq.*
2. Whether the PTAB erred in its findings and determination that Claims 12-16 of the ’991 Patent are unpatentable under 35 U.S.C. § 112(a) for lack of enablement.

3. Whether the PTAB erred in its findings and determination that Claims 12-16 of the '991 Patent are unpatentable under 35 U.S.C. § 112(a) for lack of adequate written description.
4. Whether the PTAB erred in its findings and determination that Claims 12-16 of the '991 Patent are unpatentable under 35 U.S.C. § 102 as being anticipated by U.S. Patent Application Publication No. 2008/0032260 A1 to Luebke.
5. Whether the PTAB erred in any of its evidentiary findings and determinations adverse to GSI, including without limitation, excluding a portion of Exhibit 2034 as inadmissible hearsay and not excluding Exhibits 1006, 1020, and 1021.
6. Any other finding or determination (legal or factual) adverse to GSI, including, without limitation, any claim construction rulings and errors in interpreting the disclosure of the '991 Patent or any applied reference, all in view of the entire record and related evidence.

GSI reserves the right to challenge any other issues decided adversely to GSI in the Final Written Decision and/or any orders, decisions, or rulings underling the Final Written Decision.

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