

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

SIGHTSOUND TECHNOLOGIES, LLC,

Patent Owner.

Case CBM2013-00023

Patent 5,966,440

Before the Honorable MICHAEL P. TIERNEY, JUSTIN T. ARBES, and
GEORGIANNA W. BRADEN, *Administrative Patent Judges.*

**PATENT OWNER SIGHTSOUND TECHNOLOGIES, LLC'S
NOTICE OF APPEAL**

Case CBM2013-00023

Patent 5,966,440

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner SightSound Technologies, LLC (“SightSound”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board’s (“PTAB”) Final Written Decision entered on October 7, 2014 (Paper 101) and from all underlying orders, decisions, rulings, and opinions, including, without limitation, the Decision on Institution of Covered Business Method Review entered on October 8, 2013 (Paper 12).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), SightSound further indicates that the issues on appeal include, without limitation, the following: (i) the PTAB’s decision to institute a covered business method patent review under 37 C.F.R. § 42.208, including, without limitation, whether the PTAB’s decision to institute a covered business method patent review based on obviousness exceeded the scope of the PTAB’s jurisdiction; (ii) the PTAB’s determination that U.S. Patent No. 5,966,440 (“the ‘440 patent”) is a covered business method patent under 37 C.F.R. § 42.301; (iii) the PTAB’s determination of unpatentability of claims 1, 64, and 95 of the ‘440 patent under 35 U.S.C. § 103; and (iv) any finding or determination

Case CBM2013-00023

Patent 5,966,440

supporting or related to the above-mentioned issues as well as all other issues

decided adversely to SightSound in any orders, decisions, rulings, and/or opinions.

In addition to this submission, a copy of this Notice of Appeal is being filed with the PTAB through the Patent Review Processing System (“PRPS”) and three copies of this Notice of Appeal, along with the required docketing fee, are being filed with the Clerk’s Office of the United States Court of Appeals for the Federal Circuit.

Dated: October 14, 2014

Respectfully submitted,

By: /s/ David R. Marsh

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Case CBM2013-00023
Patent 5,966,440

CERTIFICATE OF FILING

The undersigned certifies that, in addition to being filed electronically through the PTAB's PRPS, the original version of the foregoing PATENT OWNER SIGHTSOUND TECHNOLOGIES, LLC'S NOTICE OF APPEAL was filed by hand on this 14th day of October, 2014, 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
Madison Building East, 10B20
600 Dulany Street
Alexandria, Virginia 22314-5793

CERTIFICATE OF FILING

The undersigned certifies that three (3) true and correct copies of the foregoing PATENT OWNER SIGHTSOUND TECHNOLOGIES, LLC'S NOTICE OF APPEAL were filed by hand on the 14th day of October, 2014, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, District of Columbia 20005

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing PATENT OWNER SIGHTSOUND TECHNOLOGIES, LLC'S NOTICE OF

Case CBM2013-00023

Patent 5,966,440

APPEAL was served on this 14th day of October, 2014 to the following Counsel

for Petitioner Apple Inc. via electronic mail:

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