Paper 40 Entered: February 15, 2017

## UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC., ET AL, Petitioner,

v.

AMERANTH, INC., Patent Owner.

Case CBM2014-00013 Patent No. 6,982,733 B1

Before JAMESON LEE, MEREDITH C. PETRAVICK, and NEIL T. POWELL, *Administrative Patent Judges*.

PETRAVICK, Administrative Patent Judge.

DOCKET

ORDER Conduct of the Proceeding 37 C.F.R. § 42.5

A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

CBM2014-00013 Patent 6,982,733 B1

The U.S. Court of Appeals for the Federal Circuit affirmed the Board's determination that claims 1, 2, 4, 5, 10, and 12 of U.S. Patent No. 6,982,733 B1 ("the '733 patent") were unpatentable under 35 U.S.C. § 101 and reversed the Board's determination that claims 3, 6–9, 11, and 13– 16 of the '733 patent were unpatentable under 35 U.S.C. § 101. *Apple, Inc. v. Ameranth, Inc.*, 824 F.3d 1229 (Fed. Cir. 2016). Thus, claims 1–16 of the '733 patent are unpatentable under 35 U.S.C. § 101.

## IV. ORDER

Accordingly, it is hereby:

ORDERED that the record now reflects that claims 1–16 of U.S. Patent No. 6,982,733 B1 are unpatentable.

CBM2014-00013 Patent 6,982,733 B1

## FOR PETITIONER:

Richard Zembeck Gilbert Greene richard.zembeck@nortonrosefullbright.com bert.greene@nortonrosefullbright.com

FOR PATENT OWNER:

John Osborne Michael Fabiano josborne@osborneipl.com mdfabiano@fabianolawfirm.com