UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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GOOGLE LLC and APPLE INC.,
Petitioners

v.

CONTENTGUARD HOLDINGS, INC.,
Patent Owner
_____

Case CBM 2015-00040[1]

U.S. Patent 7,774,280
Filed October 4, 2004
Issued August 10, 2010
Title: SYSTEM AND METHOD FOR MANAGING TRANSFER OF RIGHTS
USING SHARED STATE VARIABLES

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Attorney Docket No. 20318-134631
Customer No: 22242

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**PATENT OWNER CONTENTGUARD HOLDINGS'
<u>NOTICE OF CROSS-APPEAL</u>**

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[1] Case CBM2015-00160 has been joined with this proceeding.

DOCKET
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Notice is hereby given that Patent Owner ContentGuard Holdings, Inc. ("ContentGuard") hereby cross-appeals to the United States Court of Appeals for the Federal Circuit from the final written decision on remand of the Patent Trial and Appeal Board ("Board") entered on February 19, 2019 (Paper No. 48) ("Decision on Remand") in CBM2015-00040[2] regarding the covered business method reviews of U.S. Patent No. 7,774,280 ("'280 patent") to the extent adverse to ContentGuard, which petitioners Google LLC and Apple Inc. appealed to the Federal Circuit on April 22, 2019 in Appeal Nos. 19-1796 and 19-1795, respectively. Apple Inc. also separately appealed the Decision on Remand in CBM2015-00160 in Appeal No. 19-1797 on April 22, 2019. The appeals are consolidated under Appeal No. 19-1795.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), ContentGuard states that the issues on cross-appeal include, but are not limited to: the Board's determination that the '280 patent is a covered business method patent eligible for review under § 18(a)(1)(E) and § 18(d)(1) of the AIA and 37 C.F.R. §42.301.

This Notice of Cross-Appeal is being e-filed with the Clerk's Office for the

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[2] A copy of the Decision on Remand is attached hereto as Exhibit 1. An identical copy of the Decision on Remand was filed as Paper 14 in CBM2015-00160.

United States Court of Appeals for the Federal Circuit. In addition, copies of this Notice of Appeal are being filed simultaneously with the Patent Trial and Appeal Board and the Director of the United States Patent and Trademark Office.

Respectfully submitted,

FITCH EVEN TABIN & FLANNERY LLP

Dated: May 4, 2019   By: /Timothy P. Maloney/
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CERTIFICATE OF FILING

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's E2E System, a copy of this PATENT OWNER CONTENTGUARD HOLDINGS' NOTICE OF CROSS-APPEAL ("Notice of Cross-Appeal") and accompanying documents were filed by Priority Mail Express on May 4, 2019, with the Director of the United States Patent and Trademark Office, at the following address:

> Director of the U.S. Patent and Trademark Office
> c/o Office of the Solicitor
> United States Patent and Trademark Office
> P.O. Box 1450
> Alexandria, VA 22313-1450;

and that a copy of the foregoing Notice of Cross-Appeal and accompanying documents were filed with the Patent Trial and Appeal Board electronically on May 4, 2019, pursuant to 37 C.F.R. 42.6(b)(1), and that the foregoing Notice of Cross-Appeal and accompanying documents were served upon the Petitioner pursuant to 37 C.F.R. 42.6(e)(1) via electronic mail on May 4, 2019, by serving the following attorneys of record as follows:

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The undersigned further certifies that a copy of the foregoing Notice of Cross-Appeal and accompanying documents were filed on May 4, 2019 with the United States Court of Appeals for the Federal Circuit through the Court's CM/ECF filing system and that the filing fee is being paid electronically using pay.gov. In accordance with Fed. Cir. Rule 15(a)(1), a paper copy of the foregoing Notice and accompanying documents are also being sent via Priority Mail Express to the clerk of the Federal Circuit at:

Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place NW
Washington, DC 20439

Respectfully submitted,

FITCH EVEN TABIN & FLANNERY LLP

Dated: May 4, 2019   By: /Timothy P. Maloney/
                            Timothy P. Maloney
                            Attorney for Patent Owner
                            ContentGuard Holdings, Inc.

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