

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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GOOGLE INC. and APPLE INC.,  
Petitioners

v.

CONTENTGUARD HOLDINGS, INC.,  
Patent Owner

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Case CBM 2015-00040<sup>1</sup>

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'  
NOTICE OF CROSS-APPEAL**

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<sup>1</sup> Case CBM2015-00160 has been joined with this proceeding.

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 of the Patent Trial and Appeal Board (“Board”) entered on June 21, 2016 (Paper No. 34) (“Final Written Decision”) in CBM2015-00040<sup>2</sup> regarding the covered business method reviews of U.S. Patent No. 7,774,280 (“‘280 patent”) to the extent adverse to ContentGuard, which petitioner Google Inc. and Apple Inc. appealed to the Federal Circuit on August 23, 2016. The appeals are consolidated under Appeal No. 16-2548.

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 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.

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<sup>2</sup> A copy of the Final Written Decision is attached hereto as Exhibit 1. An identical copy of the Final Written Decision was filed as Paper 8 in CBM2015-00160.

Respectfully submitted,

FITCH EVEN TABIN & FLANNERY, LLP

Dated: September 6, 2016

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 was filed by hand on September 6, 2016, 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, VA 22314-5793

Respectfully submitted,

FITCH EVEN TABIN & FLANNERY, LLP

Dated: September 6, 2016

By: /Timothy P. Maloney/  
Timothy P. Maloney  
Attorney for Patent Owner  
ContentGuard Holdings, Inc.

**CERTIFICATE OF FILING**

I hereby certify that a copy of this PATENT OWNER CONTENTGUARD HOLDINGS' NOTICE OF CROSS-APPEAL was filed electronically through the United States Court of Appeals for the Federal Circuit's CM/ECF system on September 6, 2016.

Respectfully submitted,

FITCH EVEN TABIN & FLANNERY, LLP

Dated: September 6, 2016

By: /Timothy P. Maloney/  
Timothy P. Maloney  
Attorney for Patent Owner  
ContentGuard Holdings, Inc.

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