

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

CONTENTGUARD HOLDINGS, INC.,
Patent Owner.

Case No. CBM2015-00160
U.S. Patent No. 7,774,280

PETITIONER APPLE INC.'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2(a) & 90.3, Petitioner Apple Inc. (“Apple”) appeals to the United States Court of Appeals for the Federal Circuit from the final written decision on remand (“Decision on Remand”) of the Patent Trial and Appeal Board (“Board”) entered on February 19, 2019 (Paper No. 14) in CBM2015-00160¹ and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding the covered business method reviews of U.S. Patent No. 7,774,280 (“280 patent”). A copy of the Decision on Remand is attached.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Apple states that the issues on appeal include, but are not limited to: the Board’s determination on remand that Patent Owner demonstrated by a preponderance of the evidence that proposed, substitute independent claim 37 satisfies the requirements of 37 C.F.R. § 42.221; the Board’s determination on remand that Petitioners have not demonstrated by a preponderance of the evidence that proposed, substitute independent claim 37 is unpatentable over the prior art of record; any additional construction(s) of claim 37; the process by which the Board reached its determination(s); and any finding or determination supporting or related to these issues, as well as all other issues decided adversely to Apple in any orders, decisions, rulings and opinions.

¹ An identical copy of the Decision on Remand was filed as Paper 48 in Case No. CBM2015-00040.

Apple is filing a copy of this Notice of Appeal with (i) the Director of the U.S. Patent and Trademark Office, (ii) electronically with the Board, and (iii) electronically with the Clerk's Office for the U.S. Court of Appeals for the Federal Circuit, along with the required docketing fee.

Dated: April 22, 2019

Respectfully Submitted,

/Jeffrey P. Kushan/

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CERTIFICATE OF FILING

I certify that the foregoing was filed electronically with the Board through the PTAB E2E System, and a paper copy was served by hand-delivery on April 22, 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 General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

I further certify that a true and correct copy of the foregoing Notice of Appeal, along with the required filing fee, was filed electronically with the Court of Appeals for the Federal Circuit via CM/ECF on April 22, 2019. Per Fed. Cir. Rule 15(a)(1), one copy of this Notice of Appeal will be hand-delivered to the Clerk's office of the United States Court of Appeals for the Federal Circuit on April 22, 2019, at the following address:

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

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on April 22, 2019, I caused to be served a true and correct copy of the foregoing by electronic mail on the following counsel:

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Dated: April 22, 2019

Respectfully Submitted,

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