

Filed on behalf of Proxyconn, Inc.

By: Matthew L. Cutler (mcutler@hdp.com)  
Bryan K. Wheelock (bwheelock@hdp.com)  
Douglas A. Robinson (drobinson@hdp.com)  
Greg W. Meyer (gmeyer@hdp.com)  
Harness, Dickey & Pierce, PLC  
7700 Bonhomme Ave., Suite 400  
Clayton, MO 63105  
Tel: (314) 726-7500  
Fax: (314) 726-7501

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

MICROSOFT CORPORATION

Petitioner

v.

PROXYCONN, INC.

Patent Owner

---

Case IPR2012-00026

Case IPR2013-00109

Patent 6,757,717 B1

---

**PROXYCONN, INC'S NOTICE OF APPEAL**

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Proxyconn Inc. (“Proxyconn”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on February 19, 2014 (Paper 73) (the “Final Written Decision”), and from all underlying orders, decisions, rulings and opinions, including without limitation the Decision to Initiate Trial for Inter Partes Review entered on December 21, 2012 (Paper 17).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner Proxyconn further indicates that the issues on appeal include, but are not limited to, the Patent Trial and Appeal Board's application and use of the broadest reasonable interpretation standard, claim construction, institution of *Inter Partes* review, denial of Proxyconn's discovery into secondary considerations, determination of unpatentability of claims, 6, 10, 11, and 22 of U.S. Patent No. 6,757,717 (the “'717 Patent”), under 35 U.S.C. § 102, determination of unpatentability of claim 10 of the '717 patent under 35 U.S.C. §103, denial of Proxyconn's motion to amend the claims of the '717 Patent including proposed claims 35-36, and any finding or

Case No.: IPR2012-00026 & IPR2013-00109

Patent 6,757,717 B1

Attorney's Docket No.: 16502-400002

determination supporting or related to those issues, as well as all other issues decided adversely to Patent Owner Proxyconn in any orders, decisions, rulings and opinions.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal, along with the required docketing fees, is being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: April 23, 2014

Respectfully Submitted by:

/Matthew L. Cutler/

MATTHEW L. CUTLER, Reg. No., 43574

BRYAN K. WHEELLOCK, Reg. No., 31441

DOUGLAS ROBINSON, Reg. No., 59703

GREG W. MEYER, Reg. No., 59915

HARNES, DICKEY & PIERCE, PLC

7700 Bonhomme Ave., Suite 400

St. Louis, MO 63105

Tel: (314) 726-7500

Fax: (314) 726-7501

mcutler@hdp.com

bwheelock@hdp.com

drobinson@hdp.com

gmeyer@hdp.com

*Attorneys for Patent Owner, Proxyconn, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS), the original version of the foregoing, PATENT OWNER PROXYCONN'S NOTICE OF APPEAL, was filed by Express Mail (Express Mail Label EV 412030080 US) on this 23rd day of April, 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, 101320  
600 Dulaney Street  
Alexandria, VA 22314-5793

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing, PATENT OWNER PROXYCONN'S NOTICE OF APPEAL, was filed electronically on this 23rd day of April, 2014, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit:

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

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing, PATENT OWNER PROXYCONN'S NOTICE OF APPEAL, was served, in accordance with the parties' electronic service agreement, by electronic mail on this 23rd day of April, 2014, on the following counsel of record for Petitioners Microsoft Corporation.

John D. Vandenberg  
[john.vandenberg@klarquist.com](mailto:john.vandenberg@klarquist.com)  
Stephen J. Joncus  
[stephen.joncus@klarquist.com](mailto:stephen.joncus@klarquist.com)  
Klarquist Sparkman LLP  
One World Trade Center  
Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204-2988  
Tel.: (503) 595-5300  
Fax: (503) 595-5301

*Attorneys for Petitioner, Microsoft Corporation*

/s/ Matthew L. Cutler