

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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**KYOCERA CORPORATION  
MOTOROLA MOBILITY LLC  
Petitioners**

**v.**

**SOFTVIEW LLC  
Patent Owner**

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**CASE IPR2013-00007  
CASE IPR2013-00256  
Patent 7,461,353.**

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**NOTICE OF APPEAL  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT  
BY PATENT OWNER SOFTVIEW LLC**

Cases IPR2013-00007 and IPR2013-00256 (joined)  
Patent 7,461,353

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner SoftView LLC ("SoftView") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decisions in IPR2013-00007 and IPR2013-00256 entered on March 27, 2014 (the "Final Written Decision"), and from all underlying orders, decisions, rulings and opinions, including without limitation the Decision to Institute Trial for *Inter Partes* Review in IPR2013-00007 entered on March 29, 2013 (Paper 11) and in IPR2013-00256 entered on June 20, 2013 (Paper 9). IPR2013-00256 was joined with IPR2013-00007 on June 20, 2013 (IPR2013-00256, Paper 10, at 10), with the Patent Trial and Appeal Board (the "Board") ordering "that this proceeding (IPR2013-00256) is terminated under 37 C.F.R. § 42.72 and all further filings in the joined proceeding shall be made in IPR2013-00007." (*Id.*, at 12).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), SoftView further indicates that the issues on appeal include, but are not limited to, the Board's determination of unpatentability of claims 1, 33, 36, 43, 48, 51, 52, 58, 59, 66, 118, 138, 139, 149, 183, 252, 283, and 317 of U.S. Patent No. 7,461,353 (the "'353 Patent") under 35 U.S.C. § 103; the Board's decision to permit Petitioner to submit a new claim

Cases IPR2013-00007 and IPR2013-00256 (joined)

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construction after the deadline for submitting claim constructions under the Board's own rules; the lack of opportunity for SoftView to amend its claims due to the belatedness of the new claim construction; the Board's claim construction determinations; the Board's application and use of the broadest reasonable interpretation standard; the Board's findings with respect to objective indicia of non-obviousness; the Board's denial of SoftView's Motion to Exclude Evidence; and all findings or determinations supporting or related to those issues, as well as any other issues decided adversely to SoftView in any orders, decisions, rulings and opinions.

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

Respectfully submitted,

Dated: May 20, 2014

By: */Ben Yorks/*

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Ben Yorks

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Cases IPR2013-00007 and IPR2013-00256 (joined)  
Patent 7,461,353

**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 NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT BY PATENT OWNER SOFTVIEW LLC was filed by hand on this 20th day of May, 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, 10B20  
600 Dulany Street  
Alexandria, VA 22314-5793

**CERTIFICATE OF SERVICE**

I hereby certify that three (3) true and correct copies of the foregoing NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT BY PATENT OWNER SOFTVIEW LLC and the prescribed fees were filed by hand on this 20th day of May, 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

Cases IPR2013-00007 and IPR2013-00256 (joined)  
Patent 7,461,353

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on May 20, 2014, a complete and entire copy of the foregoing NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT BY PATENT OWNER SOFTVIEW LLC was served by electronic mail, as agreed to by the parties, upon Petitioner's counsel:

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