

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION and GOOGLE INC.
Petitioner

v.

B.E. TECHNOLOGY, L.L.C.
Patent Owner

Case IPR2014-00039¹
Patent 6,628,314 B1

Before SALLY C. MEDLEY, KALYAN K. DESHPANDE, and
LYNNE E. PETTIGREW, *Administrative Patent Judges*.

DESHPANDE, *Administrative Patent Judge*.

B.E. TECHNOLOGY, L.L.C.'S NOTICE OF APPEAL

¹ Case IPR2014-00738 has been joined with this proceeding.

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 B.E. Technology, L.L.C. (“B.E.”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on March 31, 2015 (Paper 43) (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 April 9, 2014 (Paper 13).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), B.E. 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*, determination of unpatentability of claims 11-22 of U.S. Patent No. 6,628,314 (“314”), denial of B.E.’s motion to amend, and any finding or determination supporting or related to those issues, as well as all other issues decided adversely to B.E. 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 and the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted this 2nd day of June 2015.

Respectfully submitted,

/s/ Jason S. Angell

Jason S. Angell (Reg. No. 51480)
FREITAS ANGELL & WEINBERG LLP
350 Marine Parkway, Suite 200
Redwood Shores, California 94065
Telephone: (650) 593-6300
Facsimile: (650) 593-6301

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Patent Owner B.E. Technology, L.L.C.'s Notice of Appeal was filed electronically on this 2nd day of June, 2015, 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 Dulaney Street
Alexandria, VA 22314-5793

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Patent Owner B.E. Technology, L.L.C.'s Notice of Appeal was filed electronically on this 2nd day of June, 2015, 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

It is certified that copies of the foregoing have been served on Petitioner as provided in 37 C.F.R. § 42.6(e) via electronic mail transmission addressed to the persons at the address below:

Jeffrey P. Kushan
Scott M. Border
SIDLEY AUSTIN LLP
jkushan@sidley.com
sborder@sidley.com

Clinton H. Brannon
Brian A. Rosenthal
MAYER BROWN, LLP
cbrannon@mayerbrown.com
brosenthal@mayerbrown.com
WDC-Client-IPR-Filings@mayerbrown.com

Date: June 2, 2015

By: /s/ Jason S. Angell
Jason S. Angell
Reg. No. 51408
Counsel for Patent Owner