

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., TWITTER, INC., and YELP INC.,
Petitioners

v.

EVOLUTIONARY INTELLIGENCE LLC,
Patent Owner.

Inter Partes Review No. IPR2014-00086¹
U.S. Patent No. 7,010,536

PETITIONERS TWITTER, INC. AND YELP INC.'S NOTICE OF APPEAL

¹ *Inter Partes* Review No. IPR2014-00812, filed by Twitter, Inc. and Yelp Inc.,
was joined with this proceeding.

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-.3, Petitioners Twitter, Inc. and Yelp Inc. (“Twitter and Yelp”) appeal 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 April 16, 2015 (Paper No. 42) (“Final Written Decision”), the Board’s Decision on Petitioner’s Request for Rehearing entered on July 24, 2015 (Paper No. 44) (“Decision on Rehearing”), and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding the *inter partes* review of U.S. Patent No. 7,010,536 (“’536 patent”). Copies of the Final Written Decision and Decision on Rehearing are attached. Petitioner Apple Inc. is also filing a notice of appeal in this matter.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Twitter and Yelp state that the issues on appeal include, but are not limited to: the Board’s determination that claims 2-12, 14, and 16 of the ’536 patent have not been shown to be unpatentable; the Board’s construction of those claims; the Board’s consideration of the expert testimony, prior art, and other evidence in the record; the Board’s factual findings conclusions of law or other determinations supporting or related to those issues, as well as all other issues decided adversely to Twitter and Yelp in any orders, decisions, rulings, and opinions.

This Notice of Appeal filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit, along with payment of the required docketing fees. In addition, copies of this Notice of Appeal being filed simultaneously with the Patent Trial and Appeal Board.

Dated: September 23, 2015

Respectfully submitted,



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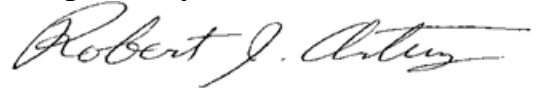
CERTIFICATE OF FILING

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS), a copy of this Petitioners' Notice of Appeal was filed by hand on September 23, 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 Dulany Street
Alexandria, VA 22314-5793

Dated: September 23, 2015

Respectfully submitted,



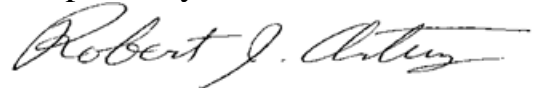
Robert J. Artuz
**Attorney for Petitioners Yelp
and Twitter**

CERTIFICATE OF FILING

I hereby certify that a copy of this Notice of Appeal was filed electronically through the United States Court of Appeals for the Federal Circuit's CM/ECF system on September 23, 2015.

Dated: September 23, 2015

Respectfully submitted,



Robert J. Artuz
**Attorney for Petitioners Yelp
and Twitter**

CERTIFICATE OF SERVICE

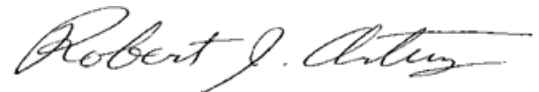
I further certify that a true and correct copy of this Notice of Appeal was served, by electronic mail, on September 23, 2015 upon the following:

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