

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apple Inc., Google Inc., and Motorola Mobility LLC

Petitioners,

v.

Arendi S.A.R.L.

Patent Owner.

Case No. IPR2014-00208

Patent No. 7,917,843

Before HOWARD B. BLANKENSHIP, SALLY C. MEDLEY, and TREVOR M.
JEFFERSON, *Administrative Patent Judges*.

PATENT OWNER'S NOTICE OF APPEAL

NOTICE OF APPEAL TO THE FEDERAL CIRCUIT

Notice is hereby given that Patent Owner Arendi S.A.R.L. hereby appeals to the United States Court of Appeals for the Federal Circuit regarding the Final Written Decision (Paper 33) dated June 9, 2015 in IPR 2014-00208 before the Patent Trial and Appeal Board.

Pursuant to 37 C.F.R. §90.2(3)(ii), Patent Owner submits that the appeal will address the decision holding claims 1, 2, 8, 14-17, 20, 21, 23, 24, 30, 36-39, 42 and 43 of U.S. Patent No. 7,917,843 unpatentable, including without limitation, such issues as the Board's improper use of the "common sense" doctrine to provide factual evidence for claim limitations not taught in the prior art. *K/S HIMPP v. Hear-Wear Technologies, LLC*, 751 F.3d 1362, 1365 (Fed. Cir. 2014) (Board correctly rejected attacker's effort at using common sense to supply a missing claim limitation).

A copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. This Notice of Appeal, along with a docketing fee of \$500.00 are being served electronically on the Clerk for the United States Court of Appeals for the Federal Circuit by CM/ECF.

Date: August 10, 2015

Respectfully submitted,

/Robert M. Asher, #30,445/

Robert M. Asher
Registration No. 30,445
Attorney for Patent Owner

Sunstein Kann Murphy & Timbers LLP
125 Summer Street
Boston, MA 02110-1618
(617) 443-9292

CERTIFICATES OF FILING AND 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'S NOTICE OF APPEAL**, was filed by Express Mail on this 10th day of August, 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
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

The undersigned also hereby certifies that a true and correct copy of the above-captioned **PATENT OWNER'S NOTICE OF APPEAL** and the filing fee is being filed via the electronic filing system, CM/ECF, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit on August 10, 2015 and three (3) true and correct copies of the foregoing were filed by Express Mail on this 10th day of August, 2015 with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, DC 20439

It is certified that on August 10, 2015, copies of the **PATENT OWNER'S NOTICE OF APPEAL** have been served on Petitioners as provided in 37 C.F.R. § 42.6(e) via electronic mail transmission addressed to the persons at the following addresses:

<p>LEAD COUNSEL FOR PETITIONER APPLE</p> <p>DAVID L. FEHRMAN dfehrman@mofocom Registration No. 28,600 MORRISON & FOERSTER LLP 707 Wilshire Blvd., Suite 6000 Los Angeles, CA 90017-3543 Tel: (213) 892-5200 Fax: (213) 892-5454</p>	<p>BACK-UP COUNSEL FOR PETITIONER APPLE</p> <p>MEHRAN ARJOMAND marjomand@mofocom Registration No. 48,231 MORRISON & FOERSTER LLP 707 Wilshire Blvd., Suite 6000 Los Angeles, CA 90017-3543 Tel: (213) 892-5200 Fax: (213) 892-5454</p>
<p>LEAD COUNSEL FOR PETITIONERS MOTOROLA MOBILITY, LLC and GOOGLE, INC.</p> <p>MATTHEW A. SMITH smith@turnerboyd.com Registration No. 49,003 TURNER BOYD LLP 2570 W. El Camino Real, Suite 380 Mountain View, CA 94040 Tel: (650) 265-6109 Fax: (650) 521-5931</p>	<p>BACK-UP COUNSEL FOR PETITIONERS MOTOROLA MOBILITY, LLC and GOOGLE, INC.</p> <p>ZHUANJIA GU gu@turnerboyd.com Registration No. 51,758</p> <p>JULIE S. TURNER turner@turnerboyd.com TURNER BOYD LLP 2570 W. El Camino Real, Suite 380 Mountain View, CA 94040 Tel: (650) 265-6109 Fax: (650) 521-5931 and kent@turnerboyd.com docketing@turnerboyd.com</p>

Date: August 10, 2015

/Robert M. Asher, #30,445/

Robert M. Asher

Registration No. 30,445
Sunstein Kann Murphy & Timbers LLP
125 Summer Street
Boston, MA 02110
Tel: (617) 443-9292
Fax: (617) 443-0004