

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZTE CORPORATION AND ZTE (USA) INC.

and

MICROSOFT CORPORATION,

Petitioners,

V.

IPR LICENSING, INC.

Patent Owner.

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Case IPR2015-00074<sup>1</sup>

Patent 8,380,244 B2

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**PATENT OWNER'S  
NOTICE OF APPEAL**

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<sup>1</sup> This proceeding has been joined with Case IPR2014-00525.

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 IPR Licensing, Inc. (“IPR Licensing”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered by the Patent Trial and Appeal Board (the “Board”) on September 14, 2015 (Paper 23, labeled as Paper 48) (the “Final Written Decision,” a copy of which is attached hereto).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), IPR Licensing further indicates that the issues on appeal may include, without limitation:

- Whether the Board erred in determining that Petitioners ZTE Corporation, ZTE (USA) Inc., and Microsoft Corporation proved by a preponderance of the evidence that claims 1-8, 14-16, 19-29, 36-38, and 41-44 of U.S. Patent No. 8,380,244 are obvious in light of the prior art, *see* 35 U.S.C. § 103, along with all reasons, findings, opinions, and orders leading thereto or underlying that decision;
- Whether the Board erroneously applied the “broadest reasonable interpretation” standard in its construction of the disputed claims, *see* 37 C.F.R. § 42.100(b);

- Whether the Board erroneously instituted review; and
- Whether the Board otherwise erroneously exercised or exceeded its authority.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Board, and an electronic copy, along the required docketing fee, are being filed with the United States Court of Appeals for the Federal Circuit.

Dated: November 13, 2015

Respectfully submitted,

/s/ Jonathan D. Link

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*Counsel for Patent Holder  
IPR Licensing, 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 foregoing Patent Owner IPR Licensing, Inc.'s Notice of Appeal was delivered by hand on this 13th day of November, 2015, to 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

I further certify that, on this 13th day of November, 2015, an electronic copy of the foregoing Patent Owner IPR Licensing, Inc.'s Notice of Appeal, along with the required docketing fee, was submitted electronically with the United States Court of Appeals for the Federal Circuit.

I further certify that on this 13th day of November, 2015, true and correct copies of the foregoing Patent Owner IPR Licensing, Inc.'s Notice of Appeal were served by electronic mail, upon the following counsel of record for Petitioners Microsoft Corp., ZTE Corporation and ZTE (USA) Inc.:

<b>Lead Counsel</b>	<b>Backup Counsel</b>
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By:

/s/ Jonathan D. Link

Jonathan D. Link

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