

Filed on behalf of Cisco Systems, Inc. and Avaya, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., AND AVAYA, INC.

Petitioners

v.

STRAIGHT PATH IP GROUP, INC.,

Patent Owner

Case IPR2015-01398¹

Patent No. 6,108,704

Before KALYAN K. DESHPANDE, TRENTON A. WARD, and BART A. GERSTENBLITH, *Administrative Patent Judges*.

PETITIONERS' NOTICE OF APPEAL

¹ This proceeding has been joined with IPR2015-00209.

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
P.O. Box 1450
Alexandria, VA 22314-5793

Pursuant to 35 U.S.C. §§ 141-44 and 319, and 37 C.F.R. § 90.2-90.3, notice is hereby given that Petitioners Cisco Systems, Inc. and Avaya, Inc. ("Petitioners") appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered May 9, 2016 (Paper 11) in IPR2015-01398, and all prior and interlocutory rulings related thereto or subsumed therein.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioners further indicate that the issues on appeal include, but are not limited to, the Patent Trial and Appeal Board's determination that Petitioners did not establish by a preponderance of the evidence that claims 1, 11, 12, 14, 16, 19, 22, 23, 27, 30, and 31 of U.S. Patent No. 6,108,704 are unpatentable as obvious over the Microsoft Manual and NetBIOS under 35 U.S.C. § 103, the Patent Trial and Appeal Board's application of the construction of "is connected to the computer network" as "is connected to the computer network at the time the query is transmitted," and any finding or determination supporting or related to those issues, as well as all other issues decided adversely to Petitioners in any orders, decisions, rulings, and opinions.

Pursuant to 37 C.F.R. § 90.3, this Notice of Appeal is timely, having been duly filed within 63 days after the date of the Final Written Decision.

A copy of this Notice of Appeal is being filed simultaneously with the Patent

Trial and Appeal Board, the Clerk's Office for the United States Court of Appeals
for the Federal Circuit, and the Patent Owner.

Respectfully submitted,

June 6, 2016

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Attorneys for Petitioners Cisco Systems,
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 90.2(a)(1) and 104.2(a), I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS), a true and correct original version of the foregoing PETITIONERS' NOTICE OF APPEAL is being filed by Express Mail (Express Mail Label EM 101747004 US) on this 6 day of June, 2016, 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, VA 22313-1450

Pursuant to 37 C.F.R. § 90.2(a)(2) and Federal Circuit Rule 15(a)(1), and Rule 52(a),(e), I hereby certify that a true and correct copy of the foregoing PETITIONERS' NOTICE OF APPEAL is being filed in the United States Court of Appeals for the Federal Circuit using the Court's CM/ECF filing system on this day, June 6, 2016, and the filing fee is being paid electronically using pay.gov.

I hereby certify that on June 6, 2016 I caused a true and correct copy of the PETITIONERS' NOTICE OF APPEAL to be served via e-mail on the following

attorneys of record:

William Meunier, straightpathiprs@mintz.com

Dated: June 6, 2016

Respectfully submitted,

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