

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,

Petitioner,

v.

BRADIUM TECHNOLOGIES LLC,

Patent Owner.

Case IPR2015-01432

Patent 7,139,794 B2

PETITIONER'S NOTICE OF APPEAL

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a)(1), that Petitioner Microsoft Corporation (“Petitioner”) hereby timely appeals under 35 U.S.C. §§ 141, 142, and 319 to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on December 21, 2016 (Paper No. 51), and from all underlying orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner states that the issues for appeal include, but are not limited to, whether the Board erred in finding that Petitioner failed to meet its burden of proving, by a preponderance of the evidence, that claims 1 and 2 of U.S. Patent No. 7,139,794 B2 are unpatentable under 35 U.S.C. § 103.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board.

In addition, a copy is being electronically filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit (via CM/ECF), along with the required docketing fee.

Furthermore, a copy of this Notice of Appeal is being served on Patent Owner Bradium Technologies, LLC.

Dated: February 21, 2017

Respectfully submitted,

/Bing Ai /

Lead Counsel

Bing Ai, Reg. No. 43,312

Back-up Counsel

Matthew Bernstein, *Pro Hac Vice*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's End to End System (PTAB E2E), the foregoing PETITIONER'S NOTICE OF APPEAL was filed by PRIORITY MAIL EXPRESS, Express Mail Label No. EK674144136US, February 21, 2017, with the Director of the United States Patent and Trademark Office, at the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

In addition, the undersigned certifies that a copy of the foregoing Notice of Appeal, along with the required docket fee, was filed on February 21, 2017, with the Clerk's Office for the United States Court of Appeals for the Federal Circuit through the Court's CM/ECF filing system.

The undersigned certifies pursuant to 37 C.F.R. § 42.6(e) that a true copy of the foregoing PETITIONER'S NOTICE OF APPEAL has been served in its entirety this 21st day of February, 2017, by electronic mail on the Patent Owner via its attorneys of record:

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Dated: February 21, 2017

Respectfully submitted,

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