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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC., AND APPLE INC.,
Petitioner

v.

IXI IP, LLC
Patent Owner

Case No. IPR2015-01444
Patent 7,039,033

**IXI IP, LLC'S NOTICE OF APPEAL
TO THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

Pursuant to 35 U.S.C. §§ 141(c), 142, and 319 and 37 C.F.R. §§ 90.2, 90.3, and 104.2, Patent Owner IXI IP, LLC (“IXI”) hereby provides notice of its appeal to the United States Court of Appeals for the Federal Circuit of the Final Written Decision (Paper 27) entered by the Patent Trial and Appeal Board (“PTAB”) on December 21, 2016 (Attachment A), and from all underlying findings, orders, decisions, rulings and opinions. In particular, Patent Owner states that the issues to be addressed on appeal may include, but are not limited to:

- A. Whether the PTAB erred in finding that 1, 4, 7, and 14 are unpatentable under 35 U.S.C. § 103 as being obvious over PCT Publication No. WO 01/76154 of Marchand (Ex. 1005, “Marchand”) in view of U.S. Patent No. 6,560,642 of Nurmann (Ex. 1010, “Nurmann”) and U.S. Patent No. 6,771,635 of Vilander (Ex. 1011, “Vilander”)?
- B. Whether the PTAB erred in finding that claim 5 is unpatentable under 35 U.S.C. § 103 as being obvious over Marchand in view of Nurmann, Vilander and Handley et al., *Request for Comments 2543 SIP: Session Initiation Protocol* (Ex. 1007, “RFC 2543”)?
- C. Whether the PTAB erred in finding that claims 6 and 23 are unpatentable under 35 U.S.C. § 103 as being obvious over Marchand in view of Nurmann, Vilander, and U.S. Patent No. 6,836,474 of Larsson (Ex. 1008, “Larsson”)?

- D. Whether the PTAB erred in finding that claims 12, 15, 22, 34, 39, 40, 42, and 46 are unpatentable under 35 U.S.C. § 103 as being obvious over Marchand in view of Nurmman, Vilander, and K. Arnold *et al.*, The JINITM Specification (Ex. 1009, “JINI Spec”)?
- E. Whether the PTAB erred in finding that claims 25 and 28 are unpatentable under 35 U.S.C. § 103 as being obvious over Marchand, Larsson, and JINI Spec?
- F. Whether the PTAB erred in denying Patent Owner’s Motion to Exclude Evidence?

Simultaneous with submission of this Notice of Appeal to the Director of the United States Patent and Trademark Office, this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal, along with the required docketing fees, is being filed with the United States Court of Appeals for the Federal Circuit.

Dated: February 21, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2017, a true and correct copy of the foregoing Patent Owner's Notice of Appeal to the U.S. Court of Appeals for the Federal Circuit was served on the following counsel for Petitioner via email:

<p>W. Karl Renner Email: axf@fr.com Fish & Richardson P.C. 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (202) 783-5070 Fax: (202) 783-2331</p> <p>Jeremy Monaldo Email: PTABInbound@fr.com Fish & Richardson P.C. 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (202) 783-5070 Fax: (202) 783-2331</p>	<p>Kevin Greene Email: IPR00035-0004IP1@fr.com Fish & Richardson P.C. 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (202) 783-5070 Fax: (202) 783-2331</p> <p>Indranil Mukerji Email: PTABInbound@fr.com Fish & Richardson P.C. 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 Tel: (202) 783-5070 Fax: (202) 783-2331</p>
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IXI IP, LLC,
Patent Owner.

Case IPR2015-01444
Patent 7,039,033 B2

Before KRISTINA M. KALAN, ROBERT J. WEINSCHENK, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

Samsung Electronics Co., Ltd., Samsung Electronics America, Inc.,
and Apple Inc. (collectively “Petitioner”) filed a Petition (“Pet.”) (Paper 2)
to institute an *inter partes* review of claims 1, 4–7, 12, 14, 15, 22, 23, 25, 28,
34, 39, 40, 42, and 46 of U.S. Patent No. 7,039,033 B2 (“the ’033 patent”)

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