

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD,
Samsung
Petitioner

v.

ELBRUS INTERNATIONAL LIMITED,
Elbrus
Patent Owner

Case IPR2015-01524
Patent 6,366,130

PATENT OWNER'S NOTICE OF APPEAL

To: Office of the General Counsel
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Elbrus International, Ltd., (“Elbrus”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on January 17, 2017 (Paper 26), and from all orders, decisions, rulings, and opinions underlying the Final Written Decision.

For the limited purpose of providing the Director with information requested in 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner anticipates that the issues on appeal may include the following, as well as any underlying findings, determinations, rulings, decisions, opinions, claim interpretations, or other related issues:

- Whether the Board erred in its construction of Claims 1, 2, 5-7 and 9 of the subject ‘130 patent;
- Whether the Board erred in finding that claims 1, 2, 5, 6, and 9 are unpatentable under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 5,828,241 (“Sukegawa”) and Nicky Chau-Chun Lu & Hu H. Chao, Half-V DD Bit-Line Sensing Scheme in CMOS DRAM’s, SC-19:4 IEEE JOURNAL OF SOLID STATE CIRCUITS 451–454 (1984) (“Lu”);

- Whether the Board erred in finding that claim 7 is unpatentable under 35 U.S.C. § 103(a) as being obvious in view of Sukegawa, Lu and U.S. Patent No. 6,249,469 B1 (“Hardee”).

Copies of this Notice of Appeal are being filed simultaneously with the Director of the United States Patent and Trademark Office, the Patent Trial and Appeal Board, the Clerk’s Office for the United States Court of Appeals for the Federal Circuit, and served on the Petitioner.

Dated March 16, 2017.

Respectfully Submitted,

Clifford H. Kraft
Reg. No. 35,229
Lead Counsel for Patent Owner

By: /Joseph Hosteny/
Joseph N. Hosteny
Reg. No. 28,020
Back-up Counsel for Patent Owner

***Counsel Patent Owner Elbrus
International Limited***

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing NOTICE OF APPEAL TO THE FEDERAL CIRCUIT (35 U.S.C. § 141(c)) was filed on March 16, 2017 with the United States Patent & Trademark Office, and served electronically in accordance with the parties' electronic service agreement on March 16, 2017 on the following lead and backup counsels of record for Petitioner Samsung Electronics Co., LTD. at the below-listed email addresses:

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Date: March 16, 2017

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By: /Joseph Hosteny/
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