

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ALARM.COM INCORPORATED,  
Petitioner

v.

VIVINT, INC.,  
Patent Owner

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Case IPR2015-01965  
Patent 7,884,713

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**PATENT OWNER VIVINT, INC.'S NOTICE OF APPEAL**

via PTAB E2E  
Patent Trial and Appeal Board

via Hand Carry  
Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel, 10B20  
Madison Building East  
600 Dulany Street  
Alexandria, VA 22314

via CM/ECF  
United States Court of Appeals for the Federal Circuit

## INTRODUCTION

Vivint, Inc.’s appeal stems from the Patent Trial and Appeal Board’s Final Written Decision entered on March 29, 2017 (Paper 36) (the “Final Written Decision”) in the above-captioned *inter partes* review of United States Patent No. 7,884,713 B1. This notice is timely filed within 63 days of the Final Written Decision. 37 C.F.R. § 90.3(b)(1).

## VIVINT, INC.’S APPEAL

Please take notice that under 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a), and Federal Rules of Appellate Procedure/Federal Circuit Rule 4(3)(a), Patent Owner Vivint, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision based on the “Decision, Granting Institution of *Inter Partes* Review” entered on March 30, 2016 (Paper 12) (the “Institution Decision”).

## VIVINT, INC.’S ISSUES ON APPEAL

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Vivint, Inc.’s issues on appeal include at least: (i) the Board’s finding that claims 1–3, 7, 9–12, 14–21, 25, 27–30, 32–39, 43, 45–48, and 50–54 would have been anticipated by Osman; (ii) the Board’s finding that claims 4–8, 22–26, and 40–44 would have been obvious over Osman and Suzuki; (iii) the Board’s finding that claims 13, 31, and 49 would have been obvious over Osman and Seligmann; and (iv) any findings or determinations

supporting or related to the aforementioned issues as well as all other issues decided adversely to Vivint, Inc. in any orders, decisions, rulings, phone conference decisions, and/or opinions.

Simultaneously with this submission, Vivint, Inc. is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

Robert Greene Sterne (Reg. No. 28,912)  
Jason D. Eisenberg (Reg. No. 43,447)  
Attorneys for Patent Owner

Date: May 30, 2017

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**CERTIFICATE OF FILING**

The undersigned hereby certifies that, in addition to being electronically filed through PTAB E2E, a true and correct copy of the above-captioned **PATENT OWNER VIVINT, INC.'S NOTICE OF APPEAL** is being filed by hand with the Director on May 30, 2017, at the following address:

Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel, 10B20  
Madison Building East  
600 Dulany Street  
Alexandria, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned **PATENT OWNER VIVINT, INC.'S NOTICE OF APPEAL** and the filing fee is being filed via CM/ECF with the Clerk's Office of the United States Court of Appeals for the Federal Circuit on May 30, 2017.

Respectfully submitted,

Date: May 30, 2017

/Jason D. Eisenberg/

Jason D. Eisenberg (Reg. No. 43,447)  
Attorney for Patent Owner

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing **PATENT OWNER**  
**VIVINT, INC.'S NOTICE OF APPEAL** was served electronically via e-mail on  
May 30, 2017, in its entirety on the following counsel for Petitioner:

William H. Mandir ([wmandir@sughrue.com](mailto:wmandir@sughrue.com)) (Lead Counsel)  
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Respectfully submitted,

Date: May 30, 2017

/Jason D. Eisenberg/

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