

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ARISTA NETWORKS, INC.,  
Petitioner

v.

CISCO SYSTEMS, INC.,  
Patent Owner

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Case IPR2016-00309  
Patent 7,224,668 B1

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**PATENT OWNER CISCO SYSTEMS, 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

Cisco Systems, Inc.'s appeal stems from the Patent Trial and Appeal Board's Final Written Decision entered on June 1, 2017 (Paper 52) (the "Final Written Decision") in the above-captioned *inter partes* review of United States Patent No. 7,224,668 B1 ("the '668 patent"). This notice is timely filed within 63 days of the Final Written Decision. 37 C.F.R. § 90.3(b)(1).

## CISCO SYSTEMS, 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 Cisco Systems, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision based on the "Decision, Instituting *Inter Partes* Review and Granting Motion for Change of Filing Date" entered on June 11, 2016 (Paper 8) (the "Institution Decision").

## CISCO SYSTEMS, INC.'S ISSUES ON APPEAL

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Cisco Systems, Inc.'s issues on appeal include at least: (i) the Board's finding that claims 1-6, 8, 9, 15-22, 24-27, 33-36, 55-58, 60-63, and 69-72 would have been obvious over the combination of Amara and Core Builder; (ii) the Board's finding that Morberg is prior art to the '668 patent under 102(e); (iii) the Board's finding that claims 7, 23, and 59 would have been obvious over the combination of Amara, CoreBuilder, and Moberg; (iv)

the Board's finding that claims 10, 12, 13, 28, 30, 31, 64, 66, and 67 would have been obvious over the combination of Amara, CoreBuilder, and Hendel; and (v) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Cisco Systems, Inc. in any orders, decisions, rulings, phone conference decisions, and/or opinions.

Simultaneously with this submission, Cisco Systems, 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.



Lori A. Gordon (Reg. No. 50,633)  
Robert Greene Sterne (Reg. No. 28,912)  
Jon E. Wright (Reg. No. 50,720)  
Daniel S. Block (Reg. No. 68,395)  
Attorneys for Patent Owner

Date: August 1, 2017  
1100 New York Avenue, N.W.  
Washington, D.C. 20005  
(202) 371-2600

**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 CISCO SYSTEMS, INC.'S NOTICE OF APPEAL** is being filed by hand with the Director on August 1, 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 CISCO SYSTEMS, 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 August 1, 2017.

Respectfully submitted,



Date: August 1, 2017

Lori A. Gordon (Reg. No. 50,633)  
Attorney for Patent Owner

**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing **PATENT OWNER**  
**CISCO SYSTEMS, INC.'S NOTICE OF APPEAL** was served electronically  
via e-mail on August 1, 2017, in its entirety on the following counsel for  
Petitioner:

W. Karl Renner (Lead Counsel)  
Lauren A. Degnan (Back-Up Counsel)  
Steven R. Katz (Back-Up Counsel)  
Adam R. Shartzler (Back-Up Counsel)  
FISH & RICHARDSON P.C.  
IPR40963-0006IP3@fr.com  
PTABInbound@fr.com

Respectfully submitted,



Date: August 1, 2017

Lori A. Gordon (Reg. No. 50,633)  
Attorney for Patent Owner