

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA) INC., HTC CORPORATION, HTC AMERICA, INC.,
Petitioners,

v.

EVOLVED WIRELESS LLC,
Patent Owner.

Case IPR2016-00757
Patent 7,881,236 B2

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-90.3, Patent Owner Evolved Wireless LLC (“Evolved”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered on November 30, 2017 in Case IPR2016-00757 (Paper 42) (“Final Written Decision”) and the Decision Denying Patent Owner’s Request for Rehearing (“Decision Denying Rehearing”) (Paper 47) entered on March 26, 2018, and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding that *inter partes* review of U.S. Patent No. 7,881,236. This Notice of Appeal is timely filed within 63 days of the Decision Denying Rehearing.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner states that the issues for appeal include, but are not limited to: the Board’s determination that claims 1-10, 12, and 13 of U.S. Patent No. 7,881,236 have been shown to be unpatentable as recited in the Final Written Decision and the Decision Denying Rehearing; the Board’s consideration of the expert testimony, prior art, and other evidence in the record; the Board’s determinations in the institution decision; and the Board’s factual findings, conclusions of law, or other determinations supporting or relating to the above issues.

This Notice of Appeal is being e-filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit, along with payment of the

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required docketing fees. In addition, a copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board and with the Director of the United States Patent and Trademark Office.

Dated: May 24, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's E2E, the foregoing Notice of Appeal was filed by Express Mail on May 24, 2018, with the Director of the United States Patent and Trademark Office, at the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned certifies that a copy of the foregoing Notice of Appeal, along with the required docket fee, was filed on May 24, 2018, 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 service pursuant to 37 C.F.R. § 42.6(e) of a copy of this Notice of Appeal by electronic mail on May 24, 2018, on the counsel of record for Petitioners at the following addresses:

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