

Filed on behalf of TQ Delta, LLC  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC.,  
Petitioner,

v.

TQ DELTA, LLC  
Patent Owner

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Case No. IPR2016-01009  
Patent No. 8,238,412

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**PATENT OWNER'S NOTICE OF APPEAL**

Pursuant to 35 U.S.C. §§ 141, 142, and 319, 37 C.F.R. §§ 90.2, 90.3, and 104.2, and Rule 4(a) of the Federal Rules of Appellate Procedure, Patent Owner TQ Delta, LLC (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Decision Denying Patent Owner’s Request for Rehearing (Paper 39) entered by the Patent Trial and Appeal Board on March 5, 2018 and the Final Written Decision (Paper 37) entered by the Patent Trial and Appeal Board on October 26, 2017, and all rulings leading up to those decisions.

In particular, and in accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner identifies at least the following issues on appeal:

- The Board’s finding that Claims 9-12, 15-18, and 21 of U.S. Patent No. 8,238,412 are unpatentable as obvious over Milbrandt, Chang, Hwang, and ANSI T1.413.
- The Board’s claim construction; and
- Any Board finding, determination, judgment, or order supporting or related to the aforementioned issues as well as all other issues decided adversely to Patent Owner in any orders, decisions, ruling, and opinions.

Patent Owner is concurrently filing a copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office and the Patent Trial and

*IPR2016-01009*

*Patent Owner's Notice of Appeal*

Appeal Board, and a copy of the same, along with the required fees, with the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Dated: May 7, 2018

/Peter J. McAndrews/

Peter J. McAndrews

Registration No. 38,547

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*Lead Counsel for Patent Owner*

**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 **NOTICE OF APPEAL** is being filed by hand with the Director on May 7, 2018, at the following address:

Director of the U.S. Patent & 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 **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 7, 2018.

Dated: May 7, 2018

/Peter J. McAndrews/

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **NOTICE OF APPEAL** was served electronically via email on May 7, 2018 in its entirety on the following:

Lead Counsel	Back-up Counsel
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Dated: May 7, 2018

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