Filed on behalf of TQ Delta, LLC

By: Peter J. McAndrews

McAndrews, Held & Malloy, Ltd. 500 W. Madison St., 34th Floor

Chicago, IL 60661 Tel: 312-775-8000 Fax: 312-775-8100

E-mail: pmcandrews@mcandrews-ip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., Petitioner,

v.

TQ DELTA, LLC Patent Owner

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

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 McANDREWS, HELD & MALLOY, LTD. 500 West Madison Street, 34th Floor

Chicago, Illinois 60661 Office: (312) 775-8000 Fax: (312) 775-8100

pmcandrews@mcandrews-ip.com

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/

Peter J. McAndrews Registration No. 38,547 McANDREWS, HELD & MALLOY 500 West Madison Street, 34th Floor Chicago, Illinois 60661

Telephone: (312) 775-8000



CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing NOTICE OF APPEAL

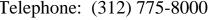
was served electronically via email on May 7, 2018 in its entirety on the following:

Lead Counsel	Back-up Counsel
David L. McCombs	Theodore M. Foster
HAYNES & BOONE, LLP	Tel. 972-739-8649
2323 Victory Ave., Suite 700	Russell Emerson
Dallas, TX 75219	Tel. 214-651-5328
Tel. 214-651-5533	Gregory P. Huh
Fax 214-200-0853	Tel. 972-739-6939
david.mccombs.ipr@haynesboone.com	HAYNES & BOONE, LLP
	2323 Victory Ave., Suite 700
	Dallas, TX 75219
	Fax 972-692-9156
	ipr.theo.foster@haynesboone.com
	russell.emerson.ipr@haynesboone.com
	Gregory.huh.ipr@haynesboone.com

Dated: May 7, 2018 /Peter J. McAndrews/

> Peter J. McAndrews Registration No. 38,547 McANDREWS, HELD & MALLOY 500 West Madison Street, 34th Floor Chicago, Illinois 60661

Telephone: (312) 775-8000





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