

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

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., DISH NETWORK, LLC,
COMCAST CABLE COMMUNICATIONS, LLC,
COX COMMUNICATIONS, INC.,
TIME WARNER CABLE ENTERPRISES LLC,
VERIZON SERVICES CORP., and ARRIS GROUP, INC.,
Petitioners,

v.

TQ DELTA, LLC
Patent Owner

Case No. IPR2016-01021¹
Patent No. 8,718,158

PATENT OWNER'S NOTICE OF APPEAL

¹ DISH Network, L.L.C., who filed a Petition in IPR2017-00255, and Comcast Cable Communications, L.L.C., Cox Communications, Inc., Time Warner Cable Enterprises L.L.C., Verizon Services Corp., and ARRIS Group, Inc., who filed a Petition in IPR2017-00417, have been joined in this proceeding.

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 Request for a Rehearing (Paper 46) entered by the Patent Trial and Appeal Board on February 1, 2018 and the Final Written Decision (Paper 44) 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 1, 2, 4, 15, 16, and 18 of U.S. Patent No. 8,718,158 are unpatentable as obvious over Shively and Stopler;
- The Board’s finding that Claims 3, 5, 14, 17, 19, and 28-30 of U.S. Patent No. 8,718,158 are unpatentable as obvious over Shively, Stopler, and Gerszberg;
- The Board’s finding that Claims 6, 9, 10, 12, 20, 23, 24, and 26 of U.S. Patent No. 8,718,158 are unpatentable as obvious over Shively, Stopler, and Bremer;
- The Board’s finding that Claims 8, 11, 13, 22, 25, and 27 of U.S. Patent No. 8,718,158 are unpatentable as obvious over Shively, Stopler, Bremer, and Gerszberg;

Patent Owner's Notice of Appeal

- The Board's finding that Claims 7 and 21 of U.S. Patent No. 8,718,158 are unpatentable as obvious over Shively, Stopler, Bremer, and Flammer.
- 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 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: April 2, 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 April 2, 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 April 2, 2018.

Dated: April 2, 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 April 2, 2018 in its entirety on the following:

| Lead Counsel | Back-up Counsel |
|--|--|
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