

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WEBPOWER, INC.,

FRIENDFINDER NETWORKS INC., STEAMRAY INC., WMM, LLC,
WMM HOLDINGS, LLC, and MULTI MEDIA, LLC,

DUODECAD IT SERVICES LUXEMBOURG S.À R.L.,
ACCRETIVE TECHNOLOGY GROUP, INC., ICF TECHNOLOGY, INC.,
RISER APPS LLC, and STREAMME, INC. (f/k/a VUBEOLOGY, INC.),

Petitioners

v.

WAG ACQUISITION, LLC
Patent Owner.

Inter Partes Review Case No. IPR2016-01238
U.S. Patent No. 8,122,141

PATENT OWNER'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

Pursuant to 35 U.S.C. §§ 141(c), 142, 319 and 37 C.F.R. §§ 90.2(a), 90.3(a), notice is hereby given that Patent Owner WAG ACQUISITION, LLC, (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board, entered on December 26, 2017, in case IPR2016-01238, Paper 22 (a copy of which is attached as Appendix A), and from all underlying findings, orders, decisions, rulings, and opinions. This notice is timely filed within 63 days of the December 26, 2017 Final Written Decision, Paper 22. 37 C.F.R. § 90.3.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner indicates that the issues on appeal include, but are not limited to, the Board's determinations with respect to (i) claim construction, (ii) patentability of claims 10-23 of U.S. Patent No. 8,122,141 over the asserted art, (iii) denial of leave to take discovery on whether the Petition was time barred pursuant to 35 U.S.C. § 315(b), and (iv) its findings supporting or relating to the aforementioned issues. Patent Owner also indicates that the issues on appeal include any other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions issued in the IPR proceeding.

A copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board as well as with the Director of the United States Patent and Trademark Office in accordance with 37 C.F.R. § 90.2(a)(1). In addition, this Notice of Appeal and the

required fee are being submitted to the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: February 26, 2018

By: /Ronald Abramson/
Ronald Abramson

By: /s/Ronald Abramson
Ronald Abramson

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Attorney for Patent Owner

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that on February 26, 2018, a true and correct copy of the above-captioned “Patent Owner’s Notice of Appeal” was filed electronically through the Patent Trial and Appeal Board’s E2E System and was filed with the Director of the United States Patent and Trademark office c/o the Office of General Counsel via hand delivery to the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
Madison Building East, Room 10B20
600 Dulany Street
Alexandria, VA 22314

CERTIFICATE OF FILING

The undersigned hereby also certify that on February 26, 2018, a true and correct copy of the above-captioned “Patent Owner’s Notice of Appeal” was filed electronically with the Clerk’s Office of the United States Court of Appeals for the Federal Circuit via CM/ECF, along with a copy of the Final Written Decision (Paper 22).

The undersigned hereby further certifies that the above-captioned “Patent Owner’s Notice of Appeal” was served in its entirety on February 26, 2018, upon the following counsel of record for the Petitioner via electronic mail:

Lead Counsel:	Frank M. Gasparo (Reg. No. 44,700) FMGasparo@Venable.com
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