

Paper No. 50
Filed: May 7, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LIMITED and
GLOBAL FOUNDRIES U.S. INC.,
Petitioners,

v.

GODO KAISHA IP BRIDGE 1,
Patent Owner.

Case No. IPR2016-01264
U.S. Patent No. 6,538,324

PETITIONER'S NOTICE OF CROSS APPEAL

Pursuant to 35 U.S.C. §§ 141(c), 142, and 319 and 37 C.F.R. §§ 90.2(a) and 90.3(a), Petitioner Taiwan Semiconductor Manufacturing Company Limited (TSMC) provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered December 20, 2017, (Paper 46) and from all underlying and related orders, decisions, rulings, and opinions regarding U.S. Patent 6,538,324 in *Inter Partes* Review IPR2016-01264.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the expected issues on appeal include:

- the Board’s claim construction analysis and determinations, including the Board’s construction of “solid solution” in Patent Owner’s proposed claim 13 in its Contingent Motion to Amend;
- the Board’s determination that Patent Owner’s proposed claim 13 complies with 35 U.S.C. § 316(d)(3);
- the Board’s determination that Patent Owner’s proposed claim 13 does not contain new matter and satisfies the written description requirement under pre-AIA 35 U.S.C. § 112, ¶ 1;
- the Board’s determination that Patent Owner’s proposed claim 13 is patentable under 35 U.S.C. § 103 over (i) U.S. Patent No. 6,887,353 (“Ding”) and U.S. Patent No. 5,893,752 (“Zhang”), and (ii) Ding, Zhang, and U.S. Patent No. 6,346,745 (“Nogami”); and

- all other issues decided adversely to Petitioner in any order, decision, ruling or opinion underlying or supporting the Final Written Decision.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), a copy of this Notice is being filed with the Director of the United States Patent and Trademark Office and with the Patent Trial and Appeal Board. In addition, a copy of this Notice and the required docketing fees are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit via CM/ECF.

Respectfully submitted,

Dated: May 7, 2018

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CERTIFICATE OF SERVICE AND FILING

I hereby certify that on this 7th day of May, 2018, in addition to being filed and served electronically through the Board's E2E System, a true and correct copy of the foregoing "**PETITIONER'S NOTICE OF CROSS APPEAL,**" was served on the Director of the United States Patent and Trademark Office, via hand delivery at the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel, 10B20
Madison Building East
600 Dulany Street
Alexandria, Virginia 22313-1450

I also hereby certify that on this 7th day of May, 2018, a true and correct copy of the foregoing "**PETITIONER'S NOTICE OF CROSS APPEAL,**" and the filing fee, were filed with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, via CM/ECF.

I also hereby certify that on this 7th day of May, 2018, a true and correct copy of the foregoing "**PETITIONER'S NOTICE OF CROSS APPEAL,**" was served, by electronic mail upon the following counsel of record for the Patent Owner:

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I also hereby certify that on this 7th day of May, 2018, a true and correct copy of the foregoing “**PETITIONER’S NOTICE OF CROSS APPEAL,**” was served, by electronic mail upon the following counsel of record for Petitioner Global Foundries U.S. Inc.:

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