

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner

v.

TQ DELTA LLC,
Patent Owner

Case IPR2016-01466
Patent No. 8,611,404

PETITIONER'S NOTICE OF APPEAL

via E2E
Patent Trial and Appeal Board

via Hand Delivery
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. §§ 141-44 and 319, and 37 C.F.R. § 90.2-90.3, notice is hereby given that Petitioner Cisco Systems, Inc. (“Petitioner”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered February 7, 2018 (Paper 34) in IPR2016-01466, and all prior and interlocutory rulings related thereto or subsumed therein.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Cisco Systems, Inc.’s issues on appeal include at least:

(i) the Board erred in failing to find claims 6, 10, 11, 15, 16, and 20 of U.S. Patent No. 8,611,404 unpatentable;

(ii) the Board erred in failing to find claims 6, 10, 11, 15, 16, and 20 obvious over the combination of Bowie, Yamano, and ANSI T1.413;

(iii) the Board erred in construing the term “synchronization signal” to mean “a signal allowing synchronization between the clock of the transmitter of the signal and the clock of the receiver of the signal”; and

(iv) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Cisco Systems, Inc. in any orders, decisions, rulings, phone conference decisions, and/or opinions.

Pursuant to 37 C.F.R. § 90.3, this Notice of Appeal is timely filed within 63 days of the Final Written Decision dated February 7, 2018.

Simultaneously with this submission, Cisco Systems, Inc. is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Respectfully submitted,

Dated: April 10, 2018

/David L. McCombs/
David L. McCombs
Reg. No. 32,271

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 PETITIONER'S NOTICE OF APPEAL is being filed by hand with the Director on April 10, 2018, 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, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned PETITIONER'S 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 10, 2018.

Respectfully submitted,

Dated: April 10, 2018

/David L. McCombs/
David L. McCombs
Reg. No. 32,271
Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PETITIONER'S NOTICE OF APPEAL was served electronically via e-mail on April 10, 2018, in its entirety on the following counsel for Patent Owner:

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Respectfully submitted,

Dated: April 10, 2018

/David L. McCombs/
David L. McCombs
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