

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner

v.

PAPST LICENSING GMBH & CO. KG,  
Patent Owner

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Case IPR2016-01863  
Patent 8,504,746

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**PETITIONER APPLE INC.'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

## INTRODUCTION

Apple Inc.'s appeal stems from the Patent Trial and Appeal Board's Final Written Decision entered on April 13, 2018 (Paper 35) (the "Final Written Decision") in the above-captioned *inter partes* review of United States Patent No. 8,504,746. This notice is timely filed within 63 days of the Final Written Decision. 37 C.F.R. § 90.3(b)(1).

## APPLE INC.'S APPEAL

Please take notice that under 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a), and Federal Rules of Appellate Procedure/Federal Circuit Rule 4(3)(a), Petitioner Apple Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision based on the "Decision, Granting Institution of *Inter Partes* Review" entered on April 17, 2017 (Paper 10) (the "Institution Decision").

## APPLE INC.'S ISSUES ON APPEAL

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Apple Inc.'s issues on appeal include at least: (i) the Board's finding that claims 1, 4, 6–8, 10, 11, 20, 21, 30, 34, 35 of the '746 patent are not unpatentable as obvious over the combination of Pucci, Kepley, and Schmidt; (ii) the Board's finding that claim 14 of the '746 patent is not unpatentable as obvious over the combination of Pucci, Shinosky, Kepley, and Schmidt; (iii) the Board's finding that claim 23 of the '746 patent is

not unpatentable as obvious over the combination of Pucci, Kepley, Schmidt, and Wilson; and (iv) any finding or determination supporting or related to the aforementioned issues as well as all other issues decided adversely to Apple Inc. in any order, decision, ruling, phone conference decision, and/or opinion.

Simultaneously with this submission, Apple 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,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Michael D. Specht/

Michael D. Specht, Reg. No. 54,463  
Attorney for Apple Inc.

Date: June 15, 2018

1100 New York Avenue, N.W.  
Washington, D.C. 20005  
(202) 371-2600

**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 APPLE INC.'S NOTICE OF APPEAL** is being filed by hand with the Director on June 15, 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 APPLE INC.'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 June 15, 2018.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Michael D. Specht/

Michael D. Specht, Reg. No. 54,463  
Attorney for Apple Inc.

Date: June 15, 2018

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**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing **PETITIONER APPLE INC.'S NOTICE OF APPEAL** was served electronically via e-mail on June 15, 2018, in its entirety on the following counsel for Patent Owner:

Gregory S. Donahue (Lead Counsel)  
Minghui Yang (Back-up Counsel)  
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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Michael D. Specht/

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Date: June 15, 2018

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