

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., SNAP INC., FACEBOOK, INC., and WHATSAPP, INC.,
Petitioner

v.

UNILOC 2017 LLC,¹
Patent Owner.

Case IPR2017-00222
U.S. Patent No. Patent 8,243,723 B2

PATENT OWNER'S NOTICE OF CROSS-APPEAL

Mail Stop
Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹ The Patent Owner was previously Uniloc Luxembourg, SA and is now Uniloc 2017 LLC

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner Uniloc 2017 LLC. (“Patent Owner”) hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered May 23, 2018 (Paper 33); the Decision Denying Patent Owner’s Request for Rehearing entered September 6, 2018 (Paper 33); and from all underlying findings, orders, decisions, rulings, and opinions, including, without limitation the institution decision entered May 25, 2017 (Paper 7). Petitioner has also appealed certain issues; accordingly, this appeal is a cross-appeal.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner states that the issues for appeal include, but are not limited to: the Patent Trial and Appeals Board (“Board”)’s determinations in the institution decision; the Board’s determination that Claims 1–7 of U.S. Patent No 8,243,723 B2 (the “’723 patent”) were shown by a reasonable likelihood to be unpatentable; the Board’s subsequent determination that Claim 1 of the ’723 patent is unpatentable under 35 U.S.C. § 103 over Vuori; the Board’s subsequent determination that Claim 2 of the ’723 patent is unpatentable under 35 U.S.C. § 103 over Vuori and Malik; the Board’s denying Patent Owner’s Request for Rehearing; the Board’s consideration and analysis of the expert testimony, prior art, and other evidence in the record; and the Board’s factual findings, conclusions of law, or other determinations supporting or relating to the above issues.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office. Simultaneous

with this submission, a copy of this Notice is being filed with the Patent Trial and Appeal Board. In addition, a copy of this Notice, along with the required docketing fees, is being filed with the Clerk's office of the United States Court of Appeals for the Federal Circuit.

DATED: November 8, 2018

By: /s/ Brett A. Mangrum
Brett Mangrum (Reg. No. 51,970)

Ryan Loveless (Reg. No. 51,970)
James Etheridge (Reg. No. 37,614)
Jeffrey Huang (Reg. No. 68,639)
Etheridge Law Group
2600 E. Southlake Blvd., Ste. 120-324
Southlake, TX 76092
brett@etheridgelaw.com
ryan@etheridgelaw.com
jim@etheridgelaw.com
jeff@etheridgelaw.com
817-470-7249

Attorneys for Uniloc 2017 LLC

CERTIFICATE OF SERVICE

The undersigned certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's E2E, the foregoing Notice of Appeal was filed by Express Mail on November 8, 2018, with the Director of the United States Patent and Trademark Office, at the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned certifies that a copy of the foregoing Notice of Appeal, along with the required docket fee, was filed on November 8, 2018, with the Clerk's Office for the United States Court of Appeals for the Federal Circuit through the Court's CM/ECF filing system.

The undersigned certifies service pursuant to 37 C.F.R. § 42.6(e) of a copy of this Notice of Appeal by electronic mail on November 8, 2018, on the counsel of record for Petitioner:

Jason D. Eisenberg
jasone-PTAB@skgf.com
Michael D. Specht
mspecht-PTAB@skgf.com
Zhu He
zhe-PTAB@skgf.com

DATED: November 8, 2018

By: /s/ Brett A. Mangrum
Brett A. Mangrum