

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

v.

UNILOC 2017 LLC<sup>1</sup>  
Patent Owner

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Case IPR2017-00225<sup>2</sup>  
Patent 8,995,433

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**JOINDER PETITIONER SNAP INC.'S  
NOTICE OF APPEAL**

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<sup>1</sup> Uniloc Luxembourg S.A. filed Updated Mandatory Notices on September 13, 2018 (Paper 34), changing the real party-in-interest to Uniloc 2017 LLC.

<sup>2</sup> Snap Inc., which filed a petition in IPR2017-01611, as well as Facebook, Inc. and WhatsApp, Inc., which filed a petition in IPR2017-01634, have been joined as petitioners in this proceeding.

## INTRODUCTION

Joinder Petitioner Snap Inc.'s ("Joinder Petitioner") appeal stems from the Patent Trial and Appeal Board's Decision on Petitioner's Request for Rehearing entered on September 6, 2018 (Paper 31) (the "Rehearing Decision") and the Board's Final Written Decision entered on May 23, 2018 (Paper 29) (the "FWD") in the above-captioned *inter partes* review of United States Patent No. 8,995,433. This notice is timely filed within 63 days of the Rehearing Decision. 37 C.F.R. § 90.3(b)(1).

## JOINDER PETITIONER'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), Joinder Petitioner hereby appeals to the United States Court of Appeals for the Federal Circuit from the FWD and Rehearing Decision, including all underlying orders, decisions, rulings, and opinions related thereto or subsumed therein.

Original Petitioner Apple Inc. has already noticed its appeal of the Board's Rehearing Decision and Final Decision. (Paper 33, Petitioner's Notice of Appeal (Nov. 1, 2018); *see also* Case No. 19-1153 (Fed. Cir., docketed Nov. 2, 2018).) Joinder Petitioner joins that appeal with respect to claims 1-3, 5-6, and 8 of United States Patent No. 8,995,433.

## **JOINDER PETITIONER'S ISSUES ON APPEAL**

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Joinder Petitioner's issues on appeal include at least: (i) the Board's finding that claims 1, 2, and 8 would not have been obvious over Abburi and Holtzburg; (ii) the Board's finding that claim 3 would not have been obvious over the combination of Abburi, Holtzburg, and Vuori; (iii) the Board's finding that claims 5-6 would not have been obvious over the combination of Abburi, Holtzburg, and Logan; (iv) the Board's finding that claims 1, 2, 5-6, and 8 would not have been obvious over the combination of Väänänen and Holtzburg; (v) the Board's finding that claim 3 would not have been obvious over the combination of Väänänen, Holtzburg, and Vuori; and (vi) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Original Petitioner Apple Inc., Joinder Petitioner, or Joinder Petitioners Facebook, Inc. and WhatsApp Inc. in any orders, decisions, rulings, phone conference decisions, and/or opinions. These issues are identical to the issues raised by Apple Inc. in its Notice of Appeal, but address only a subset of the claims addressed by Apple Inc.

Simultaneously with this submission, Joinder Petitioner 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.

Dated: November 8, 2018

Respectfully submitted,

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Patent Owner.

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Case IPR2017-00225  
Patent 8,995,433 B2

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Before JENNIFER S. BISK, MIRIAM L. QUINN, and  
CHARLES J. BOUDREAU, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

FINAL WRITTEN DECISION  
*35 U.S.C. § 318(a) and 37 C.F.R. § 42.73*

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<sup>1</sup> Snap Inc. filed a petition and motion for joinder in IPR2017-01611, which we granted. Paper 12. Facebook, Inc. and WhatsApp, Inc., filed a petition and motion for joinder in IPR2017-01634, which we granted. Paper 13. Thus, these entities, as captioned, are joined, as Petitioner, to this proceeding.

<sup>2</sup> An updated Mandatory Notice filed by Patent Owner pursuant to 37 C.F.R. § 42.8(a)(2) states that Uniloc Luxembourg S.A. is the Patent Owner. Paper 25.

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