

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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INTEL CORPORATION, GLOBALFOUNDRIES U.S., INC.,  
AND MICRON TECHNOLOGY, INC.,

Petitioner

v.

DANIEL L. FLAMM,  
Patent Owner.

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Case IPR2017-00281  
Patent RE40,264E

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Before CHRISTOPHER L. CRUMBLEY, JO-ANNE M. KOKOSKI and KIMBERLY  
McGRAW, *Administrative Patent Judges*.

**PATENT OWNER'S NOTICE OF APPEAL**

**Claims 37-46, 49, 50 & 67**

Pursuant to 35 U.S.C. §§ 141(b) and 142 and in accordance with 37 C.F.R. § 90.2(a), Daniel L. Flamm, Patent Owner, appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision the Patent Trial and Appeal Board (Board) entered on January 31, 2019.

Patent Owner indicates that the issues on appeal include, but are not limited to:

- Determination of unpatentability under 35 U.S.C. §103 of claims 37-46, 49, 50 & 67;
- And any and all findings or derminations supporting or related to these issues, and all other issues decided adversely to Patent Owner in any order, decision, ruling, and opinion during this *inter partes* reexamination.

Simultaneous with this filing and in accordance with 37 C.F.R. § 90.2(a)(1), this Notice of Appeal is (1) filed with the Director of the United States Patent and Trademark Office; (2) filed with the Board; and (3) served upon the Petitioner in accordance with 37 C.F.R. § 1.248.

Date: April 3, 2019

RESPECTFULLY SUBMITTED,

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Appeal No. 2017-00281

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**CERTIFICATE OF FILING**

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's E2E system, the original version of the foregoing Patent Owner's Notice of Appeal was filed via Express Mail on this 3rd day of April, 2019, 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  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**CERTIFICATE OF FILING**

I hereby certify that a true and correct copy of the foregoing Patent Owner's Notice of Appeal was filed with the Clerk's Office of the U.S. Court of Appeals for the Federal Circuit, via the CM/ECF system, on this 3rd day of April, 2019.

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 1.248, I hereby certify that the foregoing Patent Owner's Notice of Appeal was served via Express Mail on this 3rd day of April, 2019 to:

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