

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner,

v.

ANDREA ELECTRONICS INC.,
Patent Owner.

Patent No. 6,363,345

Inter Partes Review No. IPR2017-00627

PETITIONER'S NOTICE OF APPEAL

IPR2017-00627

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-.3, Petitioner Apple Inc. appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered on July 12, 2018 (Paper No. 23) (“Final Written Decision”) in IPR2017-00627 and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding the *inter partes* review of U.S. Patent No. 6,363,345 (“’345 patent”). A copy of the Final Written Decision is attached.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Apple states that the issues on appeal include, but are not limited to: the Board’s determination that Apple did not show that claims 6-9, 17-20, 24, and 47 of the ’345 patent are unpatentable; the Board’s construction of the claims, including the term “periodically”; the Board’s consideration of the papers, expert testimony, prior art, and other evidence in the record; the Board’s factual findings, conclusions of law, or other determinations supporting or related to those issues, as well as all other issues decided adversely to Apple in any orders, decisions, rulings, and opinions.

This Notice of Appeal is being e-filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit, along with payment of the required docketing fees. In addition, copies of this Notice of Appeal are being filed simultaneously with the Patent Trial and Appeal Board.

IPR2017-00627

Dated: September 13, 2018

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Lead Counsel for Petitioner

CERTIFICATE OF FILING

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's E2E System, a copy of this Patent Owner's Notice of Appeal was filed by hand on September 13, 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
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314-5793

Dated: September 13, 2018

Respectfully submitted,

/Thomas A. Broughan III/
Thomas A. Broughan III (66,001)
Back-up Counsel for Patent Owner

CERTIFICATE OF FILING

I hereby certify that a copy of this Notice of Appeal was filed electronically through the United States Court of Appeals for the Federal Circuit's CM/ECF system on September 13, 2018.

Dated: September 13, 2018

Respectfully submitted,

/Thomas A. Broughan III/
Thomas A. Broughan III (66,001)
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CERTIFICATE OF SERVICE

I further certify that a true and correct copy of this Notice of Appeal was served, by electronic mail, on September 13, 2018 upon the following:

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Dated: September 13, 2018

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