

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION, CAVIUM, LLC,
WISTRON, INC, and DELL INC.
Petitioner,

v.

ALACRITECH, INC.,
Patent Owner

Case IPR2017-01392

U.S. Patent No. 7,337,241

PATENT OWNER ALACRITECH, INC.'S NOTICE OF APPEAL

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
Madison Building East, Room 10B20
600 Dulany Street
Alexandria, VA 22314-5793

Pursuant to 35 U.S.C. §§ 141(c) and 142 and 37 C.F.R. §§ 90.2(a) and 90.3, Patent Owner Alacritech, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board's Final Written Decision, entered on November 26, 2018 (Paper 81) (a copy of which is attached), and from all underlying and related findings, orders, decisions, rulings, and opinions that are adverse to Alacritech, Inc.

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii), Alacritech, Inc. further indicates that the issues on appeal may include, but are not limited to, (1) whether the Board erred in determining the prior art rendered the challenged claims obvious, (2) whether the Board erred in determining the prior art rendered Alacritech, Inc.'s proposed substitute claims obvious, and (3) whether the Board erred in determining issues regarding petitioners' disclosure of real parties in interest.

Alacritech, Inc. further reserves the right to challenge any finding or determination supporting or relating to the issues above, and to challenge other issues decided adversely to Alacritech, Inc.

Pursuant to 37 C.F.R. § 90.2(a), Alacritech, Inc. is (1) filing a copy of this Notice of Appeal with the Director, (2) electronically filing a copy of this Notice with the Federal Circuit, along with the requisite filing fee, and (3) filing this Notice with the Board.

DATED: January 16, 2019

Respectfully submitted,

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/ James M. Glass
James M. Glass (Reg. No. 46,729)

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*Attorney for Patent Owner - Alacritech,
Inc.*

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 90.2(a)(1), on January 16, 2019 the foregoing Notice of Appeal was filed electronically with the Board in accordance with 37 C.F.R. § 42.6(b)(1), and mailed to the Director via Priority Mail Express in accordance with 37 C.F.R. §§ 1.10 and 104.2 at the following address:

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

Pursuant to 37 C.F.R. § 90.2(a)(2); Fed. R. App. P. 15; and Fed. Cir. R. 15, 25, and 52, on January 16, 2019 the foregoing Notice of Appeal was electronically filed with the Court of Appeals for the Federal Circuit via CM/ECF with requisite fees paid via pay.gov. Pursuant to Fed. Cir. R. 15(a)(1), one copy of this Notice of Appeal is being filed by hand with the Clerk's Office of the Federal Circuit on January 16, 2019.

Pursuant to 37 C.F.R. § 42.6(e) and the parties' agreement to accept electronic service, on January 16, 2019 the foregoing Notice of Appeal was served via e-mail on the following attorneys for Petitioners:

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DATED: January 16, 2019

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