

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE LLC,  
Petitioner,

v.

BLACKBERRY LTD.,  
Patent Owner.

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Case IPR2017-01620  
Patent 8,489,868

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**PETITIONER'S NOTICE OF APPEAL**

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Petitioner Google LLC (“Petitioner”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on December 19, 2018 (Paper 31) (the “Final Written Decision”) by the United States Patent and Trademark Office, Patent Trial and Appeal Board (the “Board”), and from all underlying orders, decisions, rulings, and opinions. A copy of the Final Written Decision is attached.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner indicates that the issues on appeal include, but are not limited to, the Board’s ruling that Petitioner has not demonstrated, by a preponderance of the evidence, that claims 13, 85, 86, 88, 98, 104, and 112 of U.S. Patent No. 8,489,868 (“the ’868 patent”) are unpatentable over the prior art, and any findings or determinations supporting or related to that ruling including, without limitation, the Board’s construction and application of the claim language, the Board’s interpretation of the prior art, and the Board’s interpretation of expert evidence.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Board. In addition, the Notice of Appeal and the required fee are

being filed electronically with the Clerk of Court for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted this 20th day of February, 2019.

Respectfully submitted,

Dated: February 20, 2019

By: /Naveen Modi/  
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*Counsel for Petitioner*

## CERTIFICATE OF SERVICE

The undersigned certifies that, in addition to being filed electronically through Patent Trial and Appeal Board End to End (PTAB E2E), the original version of this Notice of Appeal was filed by overnight express delivery on February 20, 2019 with the Director of the United States Patent and Trademark Office, at the following address:

Office of the General Counsel  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

The undersigned also certifies that a true and correct copy of this Notice of Appeal and the required fee were filed electronically via CM/ECF on February 20, 2019, with the Clerk of Court for the United States Court of Appeals for the Federal Circuit.

The undersigned also certifies that a true and correct copy of this Notice of Appeal was served on February 20, 2019, on counsel of record for Patent Owner BlackBerry Ltd. by electronic mail (by agreement of the parties) at the following address:

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