

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reexam of U.S. Patent No. 7,161,506

FALLON, James J.

Control No.: 95/000,479

Filed: May 28, 2009

For: **SYSTEM AND METHODS FOR
DATA COMPRESSION SUCH AS
CONTENT DEPENDENT DATA
COMPRESSION**

Confirmation No.: 2572

Art Unit: 3992

Examiner: LEUNG, Christina Y.

Atty. Docket: 2855.002REX3

Realtime's Appeal Brief Under 37 C.F.R. § 41.67

Mail Stop "Inter Partes Reexam"

Attn: Central Reexamination Unit

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the Right of Appeal Notice mailed on January 6, 2011, Realtime Data, LLC, (herein "Patent Owner"), in the above-captioned *inter partes* reexamination involving U.S. Patent No. 7,161,506 ("the '506 Patent"), timely filed its Notice of Appeal on February 7, 2011, from the final rejection of claims 1-5, 8, 9, 11, 17, 20-23, 27, 39, 43, 69-73, 79, 81, 82, 84-90, 96 and 98. The third-party requester, Blue Coat Systems, Inc., did not file a notice of cross-appeal, though it had the ability to do so based on its proposed rejections regarding the LBX, French, Sebastian, Franaszek, Lafe, and Reynar references that were not adopted. (RAN at 6-8.) This appeal is therefore limited to issues raised herein. Patent Owner's appeal brief is due on April 21, 2011, (*see* 37 C.F.R. § 41.66(a)).

Patent Owner hereby timely files one electronic copy of this Appeal Brief, together with the required fee set forth in 37 C.F.R. § 41.20(b)(2). If additional fees are necessary to prevent abandonment of this appeal, then any such fees required therefore are hereby authorized to be charged to the undersigned's Deposit Account No. 19-0036.

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I. Real Party in Interest

The real party in interest in this principal brief on appeal is the patent owner Realtime Data LLC, (Patent Owner). The Patent Owner is the assignee of record for the patent under reexamination, U.S. Patent No. 7,161,506 (“the ‘506 patent”), attached as Exhibit A. The original assignment for the priority filing for the ‘506 patent was recorded with the United States Patent & Trademark Office on August 10, 2010 at reel 024812, frame 0268. The original assignment establishing Patent Owner’s ownership of the ‘506 patent is attached hereto as Exhibit B.

II. Related Appeals and Interferences

All prior and pending appeals, interferences or judicial proceedings known to Patent Owner, Patent Owner’s legal representatives, or assignee that may be related to, directly affect or be directly affected by or have a bearing on the Board’s decision in the pending appeal are listed below. In addition, a summary of related Appeal Briefs for Reexam control numbers 95/000,464 and 95/000,478 is also presented below.

Reexaminations

Reexam #	Patent #	Title	Status
90/009,428	6,601,104	System and Methods for Accelerated Data Storage and Retrieval	Decision affirming Examiner’s rejections mailed 3/18/11
95/000,464	6,624,761	Content Independent Data Compression Method and System	Notice of Appeal filed 2/7/2011, Appeal Brief filed 4/21/2011

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