

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

UNILOC 2017 LLC,
Patent Owner

Case No. IPR2017-01993
Patent No. 9,414,199 B2

PETITIONERS' NOTICE OF APPEAL

Pursuant to 37 C.F.R § 90.2(a) and 35 U.S.C. § 142, Petitioner Apple Inc. (“Petitioner”) hereby gives notice that it appeals the Patent Trial and Appeal Board’s (“Board’s”) Final Written Decision, entered on March 6, 2019 (Paper No. 25) in the above-captioned *inter partes* review of United States Patent No. 9,414,199 (the “’199 Patent”) to the United States Court of Appeals for the Federal Circuit, including all underlying orders, decisions, rulings, and opinions that are adverse to Petitioner.

For the limited purpose of providing the Director with the information requested in 37 C.F.R § 90.2(a)(3)(ii), Petitioner’s issues on appeal may include, but are not limited to: (1) the Board’s construction of the claim phrase “within the predetermined maximum amount of time” and other related claim language; (2) the Board’s application of its construction to the prior art of record; (3) the Board’s determination of patentability of claims 1-2 of the ’199 Patent under 35 U.S.C § 103 in view of Blegen and Monteverde; (4) the Board’s determination of patentability of claims 3-5 of the ’199 Patent under 35 U.S.C § 103 in view of Blegen, Monteverde, and Schmidt; (5) the Board’s determination of patentability of claims 1-5 of the ’199 Patent under 35 U.S.C § 103 in view of Charlebois and Gillies; (6) the Board’s determination of patentability of claims 1-5 of the ’199 Patent under 35 U.S.C § 103 in view of Charlebois, Gillies, and Froloff; (7) the

Board's legal errors in undertaking its claim construction and obviousness analyses; (8) the Board's findings that conflict with the evidence of record and are not supported by substantial evidence; and (9) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Apple Inc. in any orders, decisions, rulings, phone conference decisions, and/or opinions.

Simultaneously with this submission, Petitioner is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Date: March 8, 2019

/s/ Xin-Yi Zhou

Xin-Yi Zhou (Reg. No. 63,366)
Counsel for Petitioner Apple Inc.

CERTIFICATE OF SERVICE

In accordance with 37 CFR § 90.2(a)(1) and § 104.2, I hereby certify that on March 8, 2019, in addition to being filed electronically through the Board's E2E System, a true and correct copy of the foregoing **Petitioner's Notice of Appeal** was served by express overnight mail on 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
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2019, a true and correct copy of the foregoing **Petitioner's Notice of Appeal**, along with a copy of the Final Written Decision, was filed electronically with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, DC 20005

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(1), the undersigned certifies that on March 8, 2019, a true and correct copy of the foregoing **Petitioner's Notice of Appeal** was served via email to the Patent Owner by serving the email correspondence addresses of record as follows:

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