

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

FALL LINE PATENTS, LLC
Patent Owner

Case IPR2018-00043
Patent 9,454,748

PATENT OWNER FALL LINE PATENTS, LLC'S NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1295(a)(4)(A), 35 U.S.C. §§ 141-143, 37 C.F.R. §§ 90.2 – 90.3, (a)(1) and Fed. Cir. R. 15, patent owner Fall Line Patents, LLC hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered April 4, 2019 (Paper 34) (attached as Exhibit A) in IPR2018-00043, and all prior decisions and rulings related thereto or subsumed therein.

Providing the information required by 37 C.F.R. §§90.2(a)(3)(ii), Fall Line states that the issues on appeal may include, but are not limited to:

- (i) the Board’s determination that Petitioner Unified Patents Inc. properly identified itself as the only real-party-in-interest and that Fall Line’s challenge of that identification was not timely;
- (ii) the Board’s determination that claims 16–19, 21, and 22 of U.S. Patent No. 9,454,748 would have been obvious over Kari, Darnell, Todd, and Chan;
- (iii) any further findings or determinations by the Director or the Board supporting or relating to the issues above; and
- (iv) all other issues decided adversely to Fall Line or the ’748 Patent in any orders, decisions, rulings, or opinions, whether written or oral, of the Board, on its own or on another’s behalf, in this proceeding.

This notice is timely filed within 63 days of the Board's Final Written Decision. 37 C.F.R. § 90.3(a)(1).

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), a copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board, the Clerk's Office for the United States Court of Appeals for the Federal Circuit (along with the required docketing fees), and the Director of the Patent and Trademark Office c/o the Office of the General Counsel at the below-identified address. In addition, pursuant to Fed. Cir. R. 15(a)(1), one paper copy of the foregoing is also being sent to the Clerk of the Federal Circuit.

Dated: May 30, 2019

Respectfully submitted,

/s/ Matthew J. Antonelli

Matthew J. Antonelli

Reg. No. 45,973

Counsel for Patent Owner

CERTIFICATE OF FILING

The undersigned hereby certifies that in addition to being filed electronically through the PTAB's E2E system, a true and correct copy of the foregoing was sent by Priority Mail Express or equivalent service to the Director of the United States Patent and Trademark Office at:

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

In addition, the undersigned hereby certifies that the foregoing document was electronically filed with the United States Court of Appeals for the Federal Circuit by CM/ECF, with a paper copy sent to the Clerk of the Court at the United States Court of Appeals for the Federal Circuit, 717 Madison Place NW, Washington, DC 20439, and accompanied by the requisite fee.

/s/ Matthew J. Antonelli
Matthew J. Antonelli
Reg. No. 45,973
Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on May 30, 2019,
the foregoing document was served via email on counsel for Petitioner:

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