

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

COREPHOTONICS, LTD.,
Patent Owner

Case IPR2018-01133
U.S. Patent No. 9,538,152

PATENT OWNER'S NOTICE OF APPEAL

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

Submitted Electronically via the PTAB E2E System

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-90.3, Patent Owner Corephotonics, Ltd. (“Corephotonics”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered on December 2, 2019, in IPR2018-01133 (Paper No. 34) (“Final Written Decision”), and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding the inter partes review of U.S. Patent No. 9,538,152 (the “’152 patent”).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Corephotonics states that the issues on appeal may include, but are not limited to: the Board’s determination that claims 1–4 of the ’152 patent have been shown to be unpatentable; whether the statute and regulations under which the Board made its determination violate the Appointments Clause or other provisions of the United States Constitution; the Board’s consideration of the expert testimony, prior art, and other evidence in the record; and the Board’s factual findings, conclusions of law, or other determinations supporting or related to those issues, as well as all other issues decided adversely to Corephotonics in any orders, decisions, rulings, and opinions.

This Notice of Appeal is being e-filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit, along with payment of the required docketing fees. In addition, a copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board.

Respectfully submitted,

Dated: January 31, 2020

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e)(1))

The undersigned hereby certifies that the above document was served on January 31, 2020, by filing this document through the Patent Trial and Appeal Board End-to-End System as well as delivering a copy via electronic mail upon the following attorneys of record for the Petitioner:

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A copy of this Notice of Appeal was also sent on January 31, 2020 by Priority Mail Express to the United States Patent and Trademark Office at the following address:

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Alexandria, VA 22313-1450

A copy of this Notice of Appeal was also sent on January 31, 2020 by Priority Mail Express to the Clerk of Court of the Federal Circuit at the following address:

Clerk of Court
U.S. Court of Appeals for the Federal Circuit
717 Madison Place, N.W.
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/ Neil A. Rubin /
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