

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apple Inc.,
Petitioner,

v.

Qualcomm Incorporated,
Patent Owner

Case IPR2018-01315
U.S. Patent No. 8,063,674

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 37 C.F.R § 90.2(a), Patent Owner Qualcomm Incorporated (“Qualcomm” or “Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit the Patent Trial and Appeal Board’s Final Written Decision on Remand in IPR2018-01315, entered on November 10, 2022 (Paper No. 40) and from all underlying orders, decisions, rulings and opinions that are adverse to Qualcomm.

In accordance with 37 C.F.R § 90.2(a)(3)(ii), Patent Owner further indicates that the issues on appeal include, but are not limited to, the determination of unpatentability of claims 1, 2, and 5–7 of U.S. Patent No. 8,063,674 under 35 U.S.C. § 103(a); the determination that alleged Applicant Admitted Prior Art (AAPA) is not the basis of Petitioner’s challenge, and is therefore eligible for use in the *inter partes* review proceeding; the determination that the answer to this issue is resolved by the June 9, 2022 Updated Guidance on the Treatment of Statements of the Applicant in the Challenged Patent in Inter Partes Reviews Under § 311; any finding or determination supporting or related to those issues; as well as all other issues decided adversely to Patent Owner in any orders, decisions, rulings, and opinions.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the United States Patent and Trademark Office by way of hand delivery to the Office of General Counsel to:

Office of the General Counsel
United States Patent and Trademark Office
Madison Building East, Room 10B20
600 Dulany Street
Alexandria, Virginia 22314

In addition, this Notice of Appeal, along with a copy of the Final Written Decision, is being filed electronically with the United States Court of Appeals for the Federal Circuit along with the required docketing fees.

Respectfully submitted,

Date: November 17, 2022

/ David B. Cochran /
David B. Cochran, Reg. No. 39,142
JONES DAY
North Point, 901 Lakeside Avenue
Cleveland, OH 44114

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on November 17, 2022, a complete and entire copy of this **PATENT OWNER'S NOTICE OF APPEAL** has been served in its entirety by e-mail on the following counsel of record for petitioner:

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

QUALCOMM INCORPORATED,
Patent Owner.

IPR2018-01315, IPR2018-01316
Patent 8,063,674 B2¹

Before TREVOR M. JEFFERSON, DANIEL J. GALLIGAN, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

Opinion for the Board filed by *Administrative Patent Judge*
SCOTT B. HOWARD.

Opinion Concurring filed by *Administrative Patent Judge*
DANIEL J. GALLIGAN.

HOWARD, *Administrative Patent Judge*.

JUDGMENT

Final Written Decision on Remand
Determining All Challenged Claims Unpatentable
35 U.S.C. § 318(a)

¹ The parties may not use this style heading in any subsequent papers without prior authorization.

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