

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Apple Inc.,
Petitioner,

v.

Qualcomm Incorporated,
Patent Owner

Case IPR2018-01316
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 in IPR2018-01316, entered on January 3, 2020 (Paper No. 26) and from all underlying orders, decisions, rulings and opinions that are adverse to Qualcomm, including, without limitation, those within the Decision on Institution of *Inter Partes* Review, entered January 18, 2019 (Paper No. 7).

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, constitutionality of the appointment of the Administrative Patent Judges who presided over this *inter partes* review; determination of unpatentability of claims 1, 2, 5-9, 12, 13, and 16-22 of U.S. Patent No. 8,063,674 under 35 U.S.C. § 103(a); determination that alleged Applicant Admitted Prior Art (AAPA) is eligible for use in *inter partes* review proceedings; 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, and one paper copy of the Notice of Appeal is being provided to the Clerk's Office:

Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place, NW, Room 401
Washington, DC 20439

Respectfully submitted,

Date: March 4, 2020

/ Joshua R. Nightingale /
Joshua R. Nightingale, Reg. No. 67,865
JONES DAY
500 Grant Street, Suite 4500
Pittsburgh, PA 15219

Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on March 4, 2020, 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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Counsel for Patent Owner

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 B2

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

HOWARD, *Administrative Patent Judge*.

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

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