

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
HTC CORPORATION AND HTC AMERICA, INC.,
ZTE (USA) INC.
Petitioners

v.

INVT SPE LLC.
Patent Owner

Case No. IPR2018-01473
Patent No. 6,611,676

PETITIONERS' NOTICE OF APPEAL

via E2E
Patent Trial and Appeal Board

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

via CM/ECF
United States Court of Appeals for Federal Circuit

Pursuant to 35 U.S.C. §§ 141-144 and 319, and 37 C.F.R. § 90.2-90.3 notice is hereby given that Petitioner Apple Inc., HTC Corporation, and HTC America, Inc. (“Petitioners”) appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered March 25, 2020 (Paper 27) in IPR2018-01473, and all prior and interlocutory rulings related thereto or subsumed therein.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioners’ issues on appeal include at least:

- (i) the Board erred in failing to find claims 1-11 of U.S. Patent No. 6,611,676 unpatentable; and
- (ii) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Petitioner in any orders, decisions, ruling, phone conference decisions, and/or opinions.

Pursuant to 37 C.F.R. § 90.3 and Fed. R. App. P. 4(a)(3), this Notice of Appeal is timely filed within 63 days of the Final Written Decision (Paper 27) dated March 25, 2020.

Simultaneous with this submission, Petitioners are 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 Federal Circuit as set forth in the accompanying Certificate of Service.

Respectfully submitted this 27th day of May, 2020.

Respectfully submitted,
ERISE IP, P.A.

BY: /s/ Adam P. Seitz
Adam P. Seitz, Reg. No. 52,206
Paul R. Hart, Reg. No. 59,646

COUNSEL FOR APPLE INC.

Stephen S. Korniczky, Reg. No. 34,853
Martin R. Bader, Reg. No. 54,736
Ericka J. Schulz, Reg. No. 60,665
Eric K. Gill, Reg. No. 71,709
SHEPPARD MULLIN RICHTER &
HAMPTON LLP
12275 El Camino Real, Suite 200
San Diego, CA 92130
Tel.: (858) 720-8900
Fax: (858) 509-3691
skorniczky@sheppardmullin.com
mbader@sheppardmullin.com
eschulz@sheppardmullin.com
egill@sheppardmullin.com

Darren Franklin (Reg. No. 51,701)
SHEPPARD MULLIN RICHTER &
HAMPTON LLP
333 S. Hope Street, 43rd Floor
Los Angeles, CA 90071-1422
Tel.: (213) 617-5554
Fax: (213) 620-1398

IPR2018-01473 Notice of Appeal
U.S. Patent 6,611,676

dfranklin@sheppardmullin.com

*COUNSEL FOR HTC CORPORATION AND
HTC AMERICA, INC.*

CERTIFICATE OF SERVICE

The undersigned certifies, pursuant to 37 C.F.R. § 90.2(a), that the foregoing *Petitioners' Notice of Appeal* was filed by Priority Express Mail on May 27, 2020, with 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
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF SERVICE

The undersigned certifies, pursuant to 37 C.F.R. § 90.2(a), that a copy of the foregoing *Petitioners' Notice of Appeal* was filed electronically on May 27, 2020 with the Patent Trial and Appeal Board's End to End (PTAB E2E).

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing *Petitioners' Notice of Appeal* was filed electronically via CM/ECF on May 27, 2020, with the United States Court of Appeals for the Federal Circuit.

CERTIFICATE OF SERVICE

The undersigned certifies, pursuant to 37 C.F.R. § 42.6(e)(2), that a true and correct copy of *Petitioners' Notice of Appeal* was served via electronic mail on May 27, 2020, on the following counsel of record for Patent Owner:

Cyrus A. Morton (CMorton@RobinsKaplan.com)
Christopher A. Seidl (CSeidl@RobinsKaplan.com)
John K. Harting (JHarting@RobinsKaplan.com)
Shui Li (SLi@RobinsKaplan.com)
Mary Pheng (MPheng@RobinsKaplan.com)
Bryan J. Vogel (BVogel@RobinsKaplan.com)

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.