

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., HTC CORPORATION, and HTC AMERICA, INC.,
Petitioners

v.

INVT SPE LLC,
Patent Owner

Case No. IPR2018-01581¹
Patent No. 7,848,439 B2

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

¹ Apple Inc. was joined as a petitioner in IPR2018-01581. Paper 13.

Petitioners' Notice of Appeal
IPR2018-01581 (Patent No. 7,848,439)

Pursuant to 35 U.S.C. §§ 141-144 and 319, and 37 C.F.R. § 90.2-90.3 notice is hereby given that Petitioners 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 February 28, 2020 (Paper 35) in IPR2018-01581, 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 claim 8 of U.S. Patent No. 7,848,439 unpatentable; and
- (ii) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Petitioners 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 35) dated February 28, 2020.

Petitioners' Notice of Appeal
IPR2018-01581 (Patent No. 7,848,439)

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 1st day of May, 2020.

Dated: May 1, 2020

Respectfully submitted,

BY: /s/ Adam P. Seitz

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Petitioners' Notice of Appeal
IPR2018-01581 (Patent No. 7,848,439)

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*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 1, 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 1, 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 1, 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 1, 2020, on the following counsel of record for Patent Owner:

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