

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Intel Corporation,
Petitioner,

v.

Qualcomm Incorporated,
Patent Owner

IPR2019-00047
U.S. Patent No. 9,154,356

PATENT OWNER'S NOTICE OF CROSS-APPEAL

Pursuant to 37 C.F.R § 90.2(a), and in an abundance of caution, Patent Owner Qualcomm Incorporated (“Qualcomm” or “Patent Owner”) hereby files this Notice to cross-appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered July 8, 2020 (Exhibit A), in order to challenge the Patent Trial and Appeal Board’s underlying Order Denying Patent Owner’s Motion to Terminate, entered on July 6, 2020 in IPR2019-00047, IPR2019-00048, and IPR2019-00049 (“the Instant IPRs”) (Exhibit B, Paper No. 34 in IPR2019-00047).

In accordance with 37 C.F.R § 90.2(a)(3)(ii), Patent Owner states that its cross-appeal is limited to the Board’s Order declining to terminate Petitioner as a party to the Instant IPRs under 35 U.S.C. § 315(e)(1). But for this error, Petitioner would have been terminated from the Instant IPRs before the Final Written Decisions issued, and thus would not have standing to appeal these Final Written Decisions under 35 U.S.C. § 319 in appeals docketed at the Federal Circuit as Appeal Nos. 20-2239, 20-2240, and 20-2242.

Pursuant to 37 C.F.R. § 90.3, this Notice of Cross-Appeal is timely, having been duly filed within fourteen days after Petitioner’s Notice of Appeal, which was filed on September 4, 2020.

A copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board, the Clerk’s Office for the United States Court of

Appeals for the Federal Circuit, and the Director of the U.S. Patent and
Trademark Office.

Dated: September 17, 2020

Respectfully submitted,

/Thomas W. Ritchie/

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on September 17, 2020, a complete and entire copy of PATENT OWNER'S NOTICE OF CROSS-APPEAL has been served in its entirety by e-mail on the following addresses of record for Petitioner:

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EXHIBIT A

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