

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

UUSI, LLC d/b/a NARTRON,
Patent Owner

Case No. IPR2019-00358
Patent No. 5,796,183

PETITIONER'S NOTICE OF APPEAL
37 C.F.R. § 90.2(a)

Pursuant to 35 U.S.C. §§ 141(c) and 319, and 37 C.F.R. § 90.2(a), notice is hereby given that Petitioner, Apple Inc., hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision in Case No. IPR2019-00358 entered August 4, 2020 (Paper 26) (“Final Written Decision”) by the Patent Trial and Appeal Board (“the Board”), and from all underlying orders, decisions, rulings, and opinions related thereto and included therein. This appeal is timely under 35 U.S.C. § 142, 37 C.F.R. § 90.3, and Rule 15(a)(1) of the Federal Rules of Appellate Procedure.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the expected issues on appeal include, but are not necessarily limited to:

- (1) The Board’s decision that claim 37 of U.S. Patent No. 5,796,183 (Ex. 1001, “the ’183 patent”) was not shown to be unpatentable under 35 U.S.C. §103(a) as obvious over Chiu and Schwarzbach;
- (2) The Board’s decision that claims 38-39 of U.S. Patent No. 5,796,183 (Ex. 1001, “the ’183 patent”) were not shown to be unpatentable under 35 U.S.C. §103(a) as obvious over Chiu, Schwarzbach, and Lawson;
- (3) The Board’s decision that claims 97–99 and 107–109 of U.S. Patent No. 5,796,183 (Ex. 1001, “the ’183 patent”) were not shown to be unpatentable under 35 U.S.C. §103(a) as obvious over Chiu, Schwarzbach, and Meadows;

- (4) The Board's interpretation of the prior art;
- (5) The Board's legal errors in undertaking the aforementioned obviousness analyses;
- (6) The Board's findings that conflict with the evidence of record or are otherwise not supported by substantial evidence;
- (7) The Board's failure to consider arguments and evidence of record fully and properly; and
- (8) all other issues decided adversely to Petitioner in any orders, decisions, rulings, and opinions underlying or supporting the Final Written Decision.

Per 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a)(1), this notice is being filed with the Director of the U.S. Patent and Trademark Office, and a copy is also being filed with the Board. Per Federal Circuit Rule 15(a)(1) and 37 C.F.R. 90.2(a)(2), Petitioner is also sending a paper copy of this Notice of Appeal to the Clerk of the U.S. Court of Appeals for the Federal Circuit, and paying the fee set forth in Federal Circuit Rule 42.

Respectfully submitted,

Dated: October 6, 2020

/W. Karl Renner/

W. Karl Renner, Reg. No. 41,265
Jeremy Monaldo, Reg. No. 58,680
Dan Smith, Reg. No. 71,278
Fish & Richardson P.C.

Attorneys for Petitioner

CERTIFICATE OF SERVICE

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on October 6, 2020, a complete and entire copy of this Petitioner's Notice of Appeal was provided via email to the Patent Owner by serving the correspondence address of record as follows:

Joseph A. Rhoa
Jonathan A. Roberts
NIXON & VANDERHYE P.C.
901 N. Glebe Road, 11th Floor
Arlington, VA 22203-1808

Lawrence Hadley
GLASER WEIL
10250 Constellation Blvd., 19th Floor
Los Angeles, CA 90067

Email: jar@nixonvan.com
jr@nixonvan.com
lmm@nixonvan.com
lhadley@glaserweil.com

I hereby certify that, in addition to being filed electronically through the Board's E2E System, the original version of the foregoing Notice of Appeal was filed by hand on October 6, 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
Madison Building East, 1 OB20
600 Dulany Street
Alexandria, VA 22314-5793

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.