

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE, INC.  
Petitioner

v.

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

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

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**PATENT OWNER'S NOTICE OF CROSS-APPEAL  
PURSUANT TO 37 C.F.R. § 90.2(a)**

Pursuant to 35 U.S.C. §§ 141(c) and 319, 37 C.F.R. § 90.2(a), and in view of the Notice of Appeal (Paper 27) filed on October 6, 2020 by Petitioner Apple, Inc. (“Apple”)<sup>1</sup>, notice is hereby given that Patent Owner UUSI, LLC d/b/a Nartron (“Nartron”) cross-appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision in Case No. IPR2019-00358 entered on August 4, 2020 (Paper 26) (“FWD”) by the Patent Trial and Appeal Board (“the Board”), and from all underlying orders, decisions, rulings, and opinions related thereto and included therein, to the extent that such were decided against Nartron.

This cross-appeal is timely under 35 U.S.C. § 142, 37 C.F.R. § 90.3, and Rule 4(a)(3) of the Federal Rules of Appellate Procedure.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the expected issues that Nartron may raise in this cross-appeal include, but are not necessarily limited to:

- (1) The Board’s incorrect construction of the claim term “selectively providing signal output frequencies” (FWD at 17-44);
- (2) The Board’s incorrect construction of the claim term “closely spaced array” (FWD at 44-46);

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<sup>1</sup> On October 13, 2020, the Federal Circuit issued an order consolidating Apple’s appeal in this case (CAFC Case No. 21-1035) with Apple’s appeal in co-pending case number IPR2019-00359 (CAFC Case No. 21-1036).

(3) The Board’s incorrect construction of the claim term “peak voltage of the signal output frequencies” (FWD at 46-48);

(4) The Board’s incorrect determination that claims 94, 96, 101, 105, and 106 are unpatentable as obvious over Chiu in view of Schwarzbach, and/or in view of Chiu alone (FWD at 49-86);

(5) The Board’s incorrect determination that Apple preserved an argument that claim 105 is obvious based on Chiu alone (FWD at 77-79);

(6) The Board’s incorrect determination that claims 104, 115, and 116 are obvious over Chiu, Schwarzbach and Lawson (FWD at 99-102);

(7) The Board’s incorrect determination that claim 102 is obvious over Chiu, Schwarzbach and Ingraham ’548 (FWD at 102-103);

(8) The Board’s incorrect determination that claim 103 is obvious over Chiu, Schwarzbach and Tucker (FWD at 103-103); and

(9) All other issues decided adversely to Nartron in any orders, decisions, rulings, and opinions underlying or supporting the FWD.

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), Nartron is also filing this notice with the clerk of the Court of Appeals for the Federal Circuit, and paying the appeal fee set forth in Federal Circuit Rule 52.

Respectfully submitted,

Dated: October 16, 2020

By: /s/ Lawrence M. Hadley  
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**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that on the date indicated below, a complete and entire copy of this submission was provided by email to Petitioner's counsel, at the addresses of record set forth below:

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The undersigned further certifies that, in addition to being filed electronically through the Board's E2E System, a copy of the foregoing Notice of Cross-Appeal was filed by hand on October 16, 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  
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