

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL
BOARD

Snap Inc.

Petitioner,

v.

BlackBerry Limited

Patent Owner.

CASE NO. IPR2019-00715
PATENT 8,326,327 B2

PETITIONER'S NOTICE OF CROSS-APPEAL

Pursuant to 37 C.F.R. § 90.2(a), notice is hereby given that Petitioner Snap Inc. (“Snap”) cross-appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision in Case No. IPR2019-00715 entered on September 1, 2020 (Paper 37) (“Final Written Decision” or “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 Snap. This cross-appeal is timely because it was filed within 14 days of Patent Owner BlackBerry Limited’s October 30, 2020 Notice of Appeal was filed. See 37 C.F.R. § 90.3(a)(1); Fed. R. App. P. 4(a)(3).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the issues that Snap may raise in this cross-appeal include, but are not necessarily limited to: the Board’s grant of Patent Owner’s contingent motion to amend; the patentability of substitute claim 21; challenges to any findings supporting the Board’s grant of Patent Owner’s contingent motion to amend; the Board’s failure to properly consider evidence of record; the Board’s failure to address all arguments raised relating to the patentability of substitute claim 21.

Dated: November 2, 2020

Respectfully submitted,

By: /s/ Yar R. Chaikovsky

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CERTIFICATE OF SERVICE

The undersigned certifies that, in addition to being filed electronically through Patent Trial and Appeal Board End to End (PTAB E2E), the original version of this Notice of Cross-Appeal was filed by express overnight mail on November 2, 2020 with the Director of the United States Patent and Trademark Office, as the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

The undersigned also certifies that a true and correct copy of this Notice of Cross-Appeal and the required fee were filed electronically via CM/ECF on November 2, 2020, with the Clerk of Court for the United States Court of Appeals for the Federal Circuit.

The undersigned also certified that a true and correct copy of this Notice of Cross-Appeal was served on November 2, 2020, on counsel of record for Patent Owner BlackBerry Limited at the following address of record:

Michael T. Hawkins
Nicholas W. Stephens
IPR21828-0041IP1@fr.com

Dated: November 2, 2020

By: Yar R. Chaikovsky
Yar R. Chaikovsky (Reg. No. 39,625)
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