

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner

v.

UNILOC 2017 LLC
Patent Owner

Case No. IPR2020-00023
U.S. Patent 6,467,088 B1

PATENT OWNER'S NOTICE OF APPEAL

via P-TACTS
Patent Trial and Appeal Board

Via Express Mail
Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
P.O. Box 1450
Alexandria, VA 22313-1450

via CM/ECJ
United States Court of Appeals for the Federal Circuit

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner Uniloc 2017 LLC (“Patent Owner”) hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered July 28, 2023 (Paper 35, attached as Exhibit A) and from all underlying findings, orders, decisions, rulings, and opinions, including without limitation, the institution decision entered in IPR2020-0023.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner states that the issues for appeal include, but are not limited to: the Patent Trial and Appeals Board (“Board”)’s determinations in the institution decision that there is a reasonable likelihood that claims 1-4, 6-14, and 16-21 of the ’088 patent are unpatentable and the Board’s subsequent determination that claims 1-4, 6-14, and 16-21 of the ’088 patent are unpatentable; the Board’s consideration and analysis of the expert testimony, prior art, and other evidence in the record; and the Board’s factual findings, conclusions of law, or other determinations supporting or relating to the above issues – including constitutionality of the appointment of PTAB judges.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office. Simultaneous with this submission, a copy of this Notice is being filed with the Patent Trial and Appeal Board. In addition, a copy of this Notice, along with the required docketing fees, is being filed with the Clerk’s office of the United States Court of Appeals for the Federal Circuit.

DATED: September 29, 2023

By: /James Etheridge/
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Counsel for Uniloc 2017 LLC

CERTIFICATE OF SERVICE

The undersigned certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's P-TACTS system, the foregoing Notice of Appeal was filed by Priority Mail Express on September 29, 2023 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
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned certifies that a copy of the foregoing Notice of Appeal, along with the required docket fee, was filed on the below date, with the Clerk's Office for the United States Court of Appeals for the Federal Circuit through the Court's CM/ECF filing system.

The undersigned certifies service pursuant to 37 C.F.R. § 42.6(e) of a copy of this Notice of Appeal by electronic mail on the below date, on the counsel of record for Petitioner:

Lead: Derrick W. Toddy, Reg. No. 74,591, derrick.toddy@klarquist.com

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Date: September 29, 2023

/s/ James Etheridge

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Counsel for Patent Owner

EXHIBIT A

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