

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS INC.,
Petitioner,

v.

IMMERVISION, INC.,
Patent Owner.

Case No. IPR2020-00179
U.S. Patent No. 6,844,990 B2

PETITIONER'S NOTICE OF APPEAL

In accordance with 35 U.S.C. §§ 141-142 and 37 C.F.R. § 90.2, LG Electronics Inc. ("Petitioner") hereby appeals to the United States Court of Appeals for the Federal Circuit (the "Court") for review of the Judgment/Final Written Decision of the Patent Trial and Appeal Board (the "Board"), entered on May 11, 2021, (the "Final Decision," Paper 26), and from all underlying orders, decisions, rulings, and opinions related to the Final Decision.

For the limited purpose of providing the Director of the United States Patent and Trademark Office with the information required under 37 C.F.R. § 90.2(a)(3)(ii), Petitioner anticipates that the issues on appeal will include, but are not limited to:

1. Whether the Board legally erred in holding Petitioner failed to demonstrate by a preponderance of the evidence that the subject matter of claim 5 of U.S. Patent No. 6,844,990 B2 is unpatentable;
2. Whether substantial evidence fails to support the Board's factual findings underlying its holding that the subject matter of claim 5 of U.S. Patent No. 6,844,990 B2 is not unpatentable;
3. Whether the Board legally erred in applying the Court's precedent in analyzing whether there is an obvious error in the prior art; and
4. Whether substantial evidence fails to support the Board's factual findings that the prior art contains an obvious error.

Petitioner's Notice of Appeal
Case IPR2020-00179
U.S. Patent No. 6,844,990 B2

Contemporaneously with this submission, a copy of the Notice of Appeal is being filed electronically with the Patent Trial and Appeal Board. In addition, a copy of this Notice of Appeal, along with the required docketing fees, is being electronically filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: June 4, 2021

Respectfully submitted,

/Dion M. Bregman/
Dion M. Bregman (Reg. No. 45,645)
Morgan, Lewis & Bockius LLP
1400 Page Mill Road
Palo Alto, CA 94304
T: +1.650.843.7519
F: +1.650.843.4001
dion.bregman@morganlewis.com

Attorneys for Petitioner
LG Electronics Inc.

CERTIFICATE OF SERVICE

In accordance with 37 CFR § 90.2(a)(1) and § 104.2, I hereby certify that on June 4, 2021, in addition to being filed electronically through the Board's E2E System, the original version of the foregoing, Petitioner's Notice of Appeal was filed by USPS Priority Mail on the Director of the United States Patent and Trademark Office, at the following address:

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

I hereby certify that on June 4, 2021, a true and correct copy of the foregoing, Petitioner's Notice of Appeal, along with a copy of the Final Written Decision, was filed electronically with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Room 401
Washington, DC 20439

Pursuant to 37 CFR § 42.6(e), the undersigned certifies that on June 4, 2021, a complete and entire copy of this Petitioner's Notice of Appeal was served by FedEx Priority Overnight Delivery and via email, to the Patent Owner at the following addresses:

Stephen E. Murray, Reg. No. 63,206
Keith A. Jones, Reg. No. 67,781
PANITCH SCHWARZE BELISARIO
& NADEL LLP
Two Commerce Square
2001 Market Street, Suite 2800
Philadelphia, Pennsylvania 19103
(215) 965-1330
(215) 965-1331 (Fax)
smurray@panitchlaw.com
kjones@panitchlaw.com

John D. Simmons, Reg. No. 52,225
Dennis J. Butler, Reg. No. 51,519
PANITCH SCHWARZE BELISARIO
& NADEL LLP
Wells Fargo Tower
2200 Concord Pike, Suite 201
Wilmington, DE 19803
(302) 394-6030
(302) 394-6031 (Fax)
jsimmons@panitchlaw.com
dbutler@panitchlaw.com

Dated: June 4, 2021

/Dion M. Bregman/
Dion M. Bregman (Reg. No. 45,645)