

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE, LLC,  
Petitioner

v.

ECOFACITOR, INC.,  
Patent Owner

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Case IPR2021-00054  
Patent 10,534,382

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**PATENT OWNER'S NOTICE OF APPEAL**

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-90.3, Patent Owner Document Security Systems, Inc. appeals to the United States Court of Appeals for the Federal Circuit from: (1) the Final Written Decision of the Patent Trial and Appeal Board entered on April 18, 2022 (Paper 35), and from all underlying findings, determinations, orders, decisions, rulings and opinions regarding the *inter partes* review of U.S. Patent No. 10,534,382 (“the ’382 Patent”), including the DECISION Instituting *Inter Partes* Review entered on May 10, 2021 (Paper 9).

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner anticipates that the issues on appeal may include, but are not limited to, the following, as well as any underlying findings, determinations, orders, decisions, rulings, opinions, or other related issues:

Whether the Patent Trial and Appeal Board’s decision finding that claims 1-20 of the ’382 Patent are unpatentable was “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; ... in excess of statutory jurisdiction, authority or limitations, or ... without observance of procedure required by law; [or] unsupported by substantial evidence ... .” 5 U.S.C. § 706(2)(A)-(E).

Simultaneous with the electronic submission of this Notice of Appeal to the Patent Trial and Appeal Board, a copy of this Notice of Appeal is being filed with

the United States Patent and Trademark Office by way of hand delivery to the Office  
of General Counsel to:

Office of the General Counsel  
United States Patent and Trademark Office  
Madison Building East, Room 10B20  
600 Dulany Street  
Alexandria, Virginia 22314

In addition, consistent with Federal Circuit Rules 15(a)(1) and 25(b)(1), this  
Notice of Appeal, along with the required docketing fees and copies of the decisions  
of the agency for which review is sought, are being filed electronically with the  
United States Court of Appeals for the Federal Circuit, and one paper copy of the  
Notice of Appeal is being provided to the Clerk's Office:

Clerk of Court  
United States Court of Appeals for the Federal Circuit  
717 Madison Place, NW, Room 401  
Washington, DC 20439  
Case IPR2020-00938  
U.S. Patent No. 7,315,119

Any required fees to the United States Patent and Trademark Office may be  
charged to the account on file.

Dated: June 21, 2022

Respectfully submitted,

/s/ Philip X. Wang

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IPR2021-00054  
U.S. Patent No. 10,534,382

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CERTIFICATE OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through the Patent Trial and Appeal Board End to End System, the above document is being sent on June 21, 2022 by United States Postal Service Priority Mail Express and by hand-delivery to the United States Patent and Trademark Office at the following address:

United States Patent and Trademark Office  
Madison Building East, Room 10B20  
600 Dulany Street  
Alexandria, Virginia 22314

The undersigned also hereby certifies that the above document is being e-filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit, along with payment of the required docketing fees.

Dated: June 21, 2022

Respectfully submitted,  
/s/ Philip X. Wang

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