

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HYUNDAI MOTOR AMERICA,  
Petitioner

v.

STRATOSAUDIO, INC.,  
Patent Owner

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IPR2021-01267  
U.S. Patent No. 8,166,081

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**PATENT OWNER'S NOTICE OF APPEAL**

NOTICE is hereby given, pursuant to 37 C.F.R. §§ 90.2 and 90.3, that Patent Owner StratosAudio, Inc., appeals to the United States Court of Appeals for the Federal Circuit under 35 U.S.C. §§ 141, 142, and 319 from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered on January 23, 2023 (Paper 39), and from all other underlying orders, decisions, rulings, and opinions regarding U.S. Patent No. 8,166,081 (“the ’081 Patent”) at issue in *inter partes* review IPR2021-01267.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner indicates that the expected issues on appeal will include, but are not limited to, (1) the Board’s determinations that Petitioner proved by a preponderance of the evidence that claims 9-11, 15, and 23 of the ’081 Patent are unpatentable; (2) the Board’s construction and application of the claim language; (3) the Board’s consideration and analysis of the expert testimony, prior art, and other evidence in the record; (4) the Board’s factual findings, conclusions of law, or other determinations supporting or relating to the above issues; and (5) all other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions.<sup>1</sup>

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<sup>1</sup> Patent Owner is also filing, concurrently herewith, a Notice of Appeal in a separate but related proceeding involving *Inter Partes* Review No. IPR2021-00721 (U.S. Patent No. 8,166,081).

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 & Trademark Office and with the Patent Trial and Appeal Board through the P-TACTS System. In addition, a copy of this Notice will be filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit, pursuant to Fed. Cir. R. 15(a)(1).

White & Case LLP does not represent StratosAudio, Inc. for purposes of any appeals.

Dated: March 24, 2023

Respectfully submitted,

WHITE & CASE LLP

/John Scheibeler/ (Electronically signed)

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Notice of Appeal were served on March 24, 2023, by filing these documents through the P-TACTS System, and by delivering a copy via electronic mail upon the following attorneys of record for Petitioner:

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