

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

MEMORYWEB, LLC,
Patent Owner.

IPR2022-00032
Patent 9,552,376 B2

APPLE INC.'S NOTICE OF APPEAL

via P-TACTS
Patent Trial and Appeal Board

via Hand Carry
Director of the United States Patent and Trademark Office
c/o Office of the General Counsel, 10B20
Madison Building East
600 Dulany Street
Alexandria, VA 22314

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

INTRODUCTION

Apple Inc.'s appeal stems from the Patent Trial and Appeal Board's Final Written Decision entered on June 30, 2023 (Paper 42) (the "Final Written Decision") in the above-captioned *inter partes* review of United States Patent No. 9,552,376 B2 ("the '376 patent"). This notice is timely filed within 63 days of the Board's Final Written Decision. 37 C.F.R. § 90.3(a)(1).

APPLE INC.'S APPEAL

Please take notice that under 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a); and Federal Rule of Appellate Procedure/Federal Circuit Rule 15, Apple Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision and all underlying decisions and orders in this action on which that decision is based.

APPLE INC.'S ISSUES ON APPEAL

Apple Inc.'s issues on appeal include at least (37 C.F.R. § 90.2(a)(3)(ii)):

(i) the Board's holding that claims 1-12 of the '376 patent had not been proven unpatentable; and

(ii) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Apple Inc. in any orders, decisions, rulings, or opinions in this proceeding.

Simultaneously with this submission, Apple Inc. is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and

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Trademark Office and a true and correct copy (or copies) of the same, along with the required filing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Dated: August 31, 2023

Respectfully submitted,

By: Jeffrey P. Kushan
Jeffrey P. Kushan
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SIDLEY AUSTIN LLP
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(202) 736-8914

Attorney for Petitioner

CERTIFICATE OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through P-TACTS, a true and correct copy of the above-captioned APPLE INC.'S NOTICE OF APPEAL is being filed by hand with the Director on August 31, 2023, at the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel, 10B20
Madison Building East
600 Dulany Street
Alexandria, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned APPLE INC.'S NOTICE OF APPEAL and the filing fee is being filed via CM/ECF with the Clerk's Office of the United States Court of Appeals for the Federal Circuit on August 31, 2023.

Dated: August 31, 2023

Respectfully submitted,

By: Jeffrey P. Kushan
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Attorney for Petitioner

CERTIFICATION OF SERVICE

The undersigned hereby certifies that on August 31, 2023, the foregoing APPLE INC.'S NOTICE OF APPEAL was served in its entirety via electronic mail on the following:

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Dated: August 31, 2023

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