

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AMAZON.COM, INC., AMAZON WEB SERVICES, INC., and
AMAZON.COM SERVICES LLC,

Petitioners

v.

WAG ACQUISITION, L.L.C.

Patent Owner

U.S. Pat. No. 9,762,636

Inter Partes Review Case No. IPR2022-01433

PATENT OWNER'S NOTICE OF APPEAL

via P-TACTS
Patent Trial and Appeal Board

via USPS Priority Mail Express®
Director of the United States Patent and Trademark Office
c/o Office of the Solicitor
United States Patent and Trademark Office
Mail Stop 8
P.O. Box 1450, Alexandria, Virginia 22313-1450

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

Pursuant to 35 U.S.C. §§ 141(c), 142, 319 and 37 C.F.R. §§ 90.2(a), 90.3(a), notice is hereby given that Patent Owner WAG ACQUISITION, L.L.C., (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board, entered on February 15, 2024, in case IPR2022-01433, Paper 26 (a copy of which is attached as Appendix A), and from all underlying findings, orders, decisions, rulings, and opinions. This notice is timely filed within 63 days of the February 15, 2024 Final Written Decision, Paper 26. 37 C.F.R. § 90.3.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner indicates that the issues on appeal include, but are not limited to, the Board’s determinations with respect to (i) claim construction, (ii) teachings of the asserted art, (iii) expert testimony, (iv) patentability of claims 1-12 of U.S. Patent No. 9,762,636 over the asserted art, and (v) its findings supporting or relating to the aforementioned issues, and inconsistent determinations by the Board in the related, co-pending cases now being appealed by Patent Owner. Patent Owner also indicates that the issues on appeal include any other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions issued in the IPR proceeding.

A copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board as well as with the Director of the United States Patent and Trademark Office in accordance with 37 C.F.R. § 90.2(a)(1). In addition, this Notice of Appeal

and the required fee are being submitted to the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: March 28, 2024

By: /Ronald Abramson/
Ronald Abramson

By: /s/ Ronald Abramson
Ronald Abramson

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CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that on March 28, 2024, a true and correct copy of the above-captioned “Patent Owner’s Notice of Appeal” was filed electronically through the Patent Trial and Appeal Case Tracking System (P-TACTS) and was filed in paper with the Director of the United States Patent and Trademark office c/o the Office of the Solicitor via USPS Priority Mail Express® to the following address:

Office of the Solicitor
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P.O. Box 1450
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CERTIFICATE OF FILING

The undersigned hereby also certifies that on March 28, 2024, a true and correct copy of the above-captioned “Patent Owner’s Notice of Appeal” was filed electronically with the Clerk’s Office of the United States Court of Appeals for the Federal Circuit via CM/ECF, along with a copy of the Final Written Decision (Paper 26). The undersigned hereby further certifies that the above-captioned “Patent Owner’s Notice of Appeal” was served in its entirety on March 28, 2024, upon the following counsel of record for the Petitioners via electronic mail:

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Dated: March 28, 2024

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