

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SNAP, INC.,
Petitioner

v.

SRK TECHNOLOGY LLC,
Patent Owner

Patent No. 8,996,059
Filing Date: July 18, 2013
Issue Date: March 31, 2015
Title: ADAPTIVE COMMUNICATION MODE
FOR RECORDING A MEDIA MESSAGE

PATENT OWNER'S NOTICE OF APPEAL

Case No. IPR2020-00819

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner SRK Technology LLC (“SRK” or “Patent Owner”) hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered October 19, 2021 (Paper 46) and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent No. 8,996,059 (the “’059 patent”) in Case No. IPR2020-00819. This notice is timely under 37 C.F.R. § 90.3 having been filed within 63 days after the date of the Final Written Decision. 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 Board’s claim constructions; its application of those constructions; any implied claim constructions; its obviousness determinations including that claims 1, 2, 4-13, 15-19, 21-25, 30, 32-37, and 46-48 of the ’059 patent are unpatentable under 35 U.S.C. § 103; any findings related to secondary considerations of non-obviousness; the findings, rulings and conclusions supporting or relating to those determinations; and any other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions in IPR2020-00819.

Simultaneous with this submission, three (3) copies of this Notice of Appeal are being filed with the Clerk of the United States Court of Appeals for the Federal Circuit and are being submitted electronically through the Court’s CM/ECF system, together with the requisite fee in the amount of \$500.00. In addition, a copy of this

Notice of Appeal is being filed with the Patent Trial and Appeal Board and served upon counsel of record for Snap, Inc.

Dated: December 20, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of Patent Owner's Sur-Reply is being served via email on Petitioner's attorneys of record on the 20th day of December, 2021, the same day as the filing of the above-identified document in the United States Patent and Trademark Office/Patent Trial and Appeal Board, by serving Petitioner's correspondence address of record with the USPTO as follows:

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December 20, 2021

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