

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY INTERACTIVE ENTERTAINMENT LLC,
Petitioner,

v.

BOT M8, LLC,
Patent Owner.

Case IPR2020-01288
U.S. Patent No. 7,664,988

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner, Bot M8, LLC (“Patent Owner”), hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“the Board”) entered February 15, 2022, (Paper 26) and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent No. 7,664,988 (“the ’988 Patent”) at issue in *inter partes* review IPR2020-01288.

The issues on appeal, pursuant to 37 C.F.R. § 90.2(a)(3)(ii) include, but are not limited to, the Board’s interpretation and construction of the claims, including the Board’s construction of the terms in the final written decision; the Board’s determination that Petitioner showed by a preponderance of the evidence that claims 1–10 of the ’988 Patent are unpatentable; motivation to combine the asserted references; the Board’s reliance on arguments that exceeded the proper scope of Petitioner’s Reply; any finding or determination supporting or related to those issues; and all other issues decided adversely to Patent Owner in any orders, decisions, rulings, and opinions.

Copies of Patent Owner’s Notice of Appeal are being filed simultaneously with the Director of the United States Patent and Trademark Office, the Patent Trial and Appeal Board, and the United States Court of Appeals for the Federal Circuit.

Patent Owner's Notice of Appeal
IPR2020-01288 (U.S. Patent No. 7,664,988)

Respectfully submitted,

Dated: March 23, 2022

/James Hannah/

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(Case No. IPR2020-01288)

Attorneys for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Petitioner as detailed below.

Date of Service March 23, 2022

Manner of Service Electronic Mail
(eric.buresh@eriseip.com;
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Documents Served PATENT OWNER'S NOTICE OF APPEAL

Persons Served Eric A. Buresh
 Jason R. Mudd
 Callie A. Pendergrass

In addition, the foregoing Patent Owner's Notice of Appeal was filed by Express Mail on March 23, 2022, with the United States Patent and Trademark Office at the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner's Notice of Appeal
IPR2020-01288 (U.S. Patent No. 7,664,988)

The undersigned hereby certifies that the foregoing Patent Owner's Notice of Appeal was electronically filed with the United States Court of Appeals for the Federal Circuit through CM/ECF and pay.gov on March 23, 2022.

/James Hannah/
James Hannah
Registration No. 56,369
Lead Counsel for Patent Owner