

**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

SITO Mobile R&D IP, LLC  
and SITO Mobile, Ltd. \_\_\_\_\_, **Petitioner or Appellant,**

v.  
Hulu, LLC  
\_\_\_\_\_, **Respondent or Appellee.**

**PETITION FOR REVIEW**

Notice is hereby given that the following party/parties\* SITO Mobile R&D IP, LLC and SITO Mobile, Ltd.

\_\_\_\_\_ hereby petition(s)/appeal(s) the court for review of the order of the USPTO - PTAB  
\_\_\_\_\_ entered on 4/15/2022. The order or decision was received  
on 4/15/2022.

Date: 6/24/2022

Signature: /s/ Ronald M. Daignault

Name: Ronald M. Daignault

Address: Daignault Iyer LLP

8618 Westwood Center Drive - Suite 105

Vienna, VA 22812

Phone Number: 917-838-9795

Email Address: rdaignault@daignaultiyer.com

\*See Fed. R. App. P. 15(a)(2) for permissible ways of identifying petitioners.

**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

**CERTIFICATE OF SERVICE**

**Case Number** Case No. IPR2021-00308

**Short Case Caption** SITO Mobile R&D IP, LLC et al. v. Hulu, LLC

**NOTE:** Proof of service is only required when the rules specify that service must be accomplished outside the court’s electronic filing system. See Fed. R. App. P. 25(d); Fed. Cir. R. 25(e). Attach additional pages as needed.

I certify that I served a copy of the foregoing filing on \_\_\_\_\_

by  U.S. Mail  Hand Delivery  Email  Facsimile  
 Other: \_\_\_\_\_

on the below individuals at the following locations.

Person Served	Service Location (Address, Facsimile, Email)
Cameron Weston	cwestin@omm.com
Amy Liang	aliang@omm.com

Additional pages attached.

Date: 06/24/2022

Signature: /s/ Ronald M. Daignault

Name: Ronald M. Daignault

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Hulu, LLC,  
Petitioner

v.

SITO Mobile R&D IP, LLC and SITO Mobile, Ltd.,  
Patent Owner

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Case No. IPR2021-00308

U.S. Patent No. 8,825,887

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**PATENT OWNER'S NOTICE OF APPEAL**

Notice is hereby given, pursuant to 35 U.S.C. §§ 141(c), 142, 319; and 37 C.F.R. §§ 90.2(a), 90.3(a), that SITO Mobile R&D IP, LLC and SITO Mobile, Ltd. (“Patent Owner”) appeals from the Patent Trial and Appeal Board’s Final Written Decision entered on April 25, 2022 (Paper No. 33) in the above-captioned *inter partes* review of U.S. Patent No. 8,825,887 (the “’887 Patent”) to the United States Court of Appeals for the Federal Circuit. This notice is timely filed within 63 days of the Board’s final written decision. 37 C.F.R. § 90.3(a)(1). Patent Owner’s appeal includes any underlying orders, decisions, rulings, and opinions as well as any issues raised during these proceedings. In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner further indicates that the issues on appeal include, without limitation: (i) the Board’s determination that all challenged claims are unpatentable over the art of record in this proceeding; (ii) the Board’s claim constructions; (iii) the Board’s disposition and evidentiary rulings relating to Patent Owner’s objections to certain of Petitioner’s arguments and evidence; (iv) the Board’s disposition and evidentiary rulings relating to Petitioner’s objections to certain of Patent Owner’s arguments and evidence; (v) the Board’s obviousness analysis; (vi) the Board’s determination to institute this proceeding; (vii) the Board’s decision not to dismiss this proceeding; and (viii) any finding or determination supporting or related to the above-mentioned issues as well as all other issues decided adversely to Patent Owner including in any orders, decisions,

dispositions, rulings, and/or opinions. Simultaneously with this submission, Patent Owner is filing a true and correct copy of this Notice of Appeal with the Director of the U.S. Patent and Trademark Office.

Dated: June 24, 2022

Respectfully Submitted,

/s/ Ronald M. Daignault

Ronald M. Daignault\*

Jason S. Charkow\* (Reg. No. 46,418)

Chandran B. Iyer (Reg. No. 48,434)

Stephanie R. Mandir (Reg. No. 72,930)

[jcharkow@daignaultiyer.com](mailto:jcharkow@daignaultiyer.com)

[cbiyer@daignaultiyer.com](mailto:cbiyer@daignaultiyer.com)

[smandir@daignaultiyer.com](mailto:smandir@daignaultiyer.com)

DAIGNAULT IYER LLP

8618 Westwood Center Drive - Suite 150

Vienna, VA 22182

*\*Not admitted to practice in Virginia*

James T. Carmichael (Reg. No. 45,306)

Stephen T. Schreiner (Reg. No. 43,097)

Minghui Yang (Reg. No. 71,989)

[jim@carmichaelip.com](mailto:jim@carmichaelip.com)

[schreiner@carmichaelip.com](mailto:schreiner@carmichaelip.com)

[mitch@carmichaelip.com](mailto:mitch@carmichaelip.com)

CARMICHAEL IP, PLLC

8000 Towers Crescent Drive, 13<sup>th</sup> Floor

Tysons Corner, VA 22182

(703) 646-9255

*Attorneys for SITO Mobile R&D IP, LLC  
and SITO Mobile, Ltd.*

CERTIFICATE OF SERVICE AND FILING

The undersigned hereby certifies that on this 24<sup>th</sup> day of June, 2022, in addition to being electronically filed through PRPS, a true and correct copy of the above-captioned PATENT OWNER'S NOTICE OF APPEAL is being filed by Express Mail on June 24, 2022, with the Director of the United States Patent and Trademark Office, at the following address:

Director of the U.S. Patent & Trademark Office  
c/o Office of the General Counsel  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

The undersigned also hereby certifies that a true and correct copy of the above-captioned PATENT OWNER'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 June 24, 2022.

Dated: June 24, 2022

/s/ Ronald M. Daignault  
Ronald M. Daignault

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL, was served by filing the document through the PTAB E2E System, as well as by email on the following counsel of record for Petitioner:

Cameron Westin (Lead Counsel)  
Amy Liang  
O'MELVENY & MYERS LLP  
[cwestin@omm.com](mailto:cwestin@omm.com)  
[aliang@omm.com](mailto:aliang@omm.com)

Dated: June 24, 2022

/Jason S. Charkow/  
Jason S. Charkow  
USPTO Reg. No. 46,418