

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VALVE CORPORATION,  
Petitioner,

v.

IRONBURG INVENTIONS LTD.,  
Patent Owner.

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Case No. IPR2017-00858  
U.S. Patent No. 9,289,688 B2

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**PETITIONER'S NOTICE OF APPEAL**  
**37 C.F.R. § 90.2(a)**

Please take notice that Petitioner Valve Corporation (“Valve”) hereby appeals under 35 U.S.C. §§ 141(c), 142 and 319, and 37 C.F.R §§ 90.2 and 90.3 to the U.S. Court of Appeals for the Federal Circuit from the Final Written Decision on Remand (Paper 87), entered January 26, 2023, in the above-captioned *inter partes* review proceeding before the Patent Trial and Appeal Board (PTAB) of the United States Patent and Trademark Office (USPTO). The present notice of appeal is being filed in the USPTO within the sixty-three (63) days prescribed under 37 C.F.R. § 90.3(b)(1) and is therefore timely under 35 U.S.C. § 142.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Valve hereby identifies the expected issues on appeal to include, but are not necessarily limited to:

1. Whether the PTAB erred in finding Valve did not demonstrate that claims 18, 19, 21, 26, and 29 would have been obvious over the combination of Burns, David, *Review: Scuf Xbox 360 Controller* (published October 20, 2010 at <https://www.xboxer360.com/features/reviewscuf-xbox-360-controller/>) (“Burns”) with U.S. Patent No. D419,985 (“LaCelle”);
2. Whether the PTAB erred in finding Valve did not demonstrate that claim 21 would have been obvious over the combination of Burns with U.S. Patent No. D711,881 (“Bellinghausen”); and

3. Whether the PTAB erred in finding Valve did not demonstrate that claim 26 would have been obvious over the combination of Burns and U.S. Patent No. D502,468 (“Knight”);
4. Whether the PTAB erred in any finding supporting or relating to the aforementioned claims and grounds; and
5. All other interlocutory orders and decisions made during the above-captioned *inter partes* review proceedings necessary to the PTAB’s Final Written Decision on Remand from which the present appeal is taken.

### **RELATED FILINGS AND SERVICE**

Per 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a)(1), this notice is being filed with the Director of the U.S. Patent and Trademark Office by USPS Priority Mail Express®, at:

Director of the USPTO  
c/o Office of the General Counsel of the USPTO  
P.O. Box 1450  
Alexandria, VA 22313-1450

A copy of this Notice is also being filed with the PTAB through the PTAB P-TACTS electronic filing system, per 37 C.F.R § 90.2(a). Per Federal Circuit Rule 15(a)(1) and 37 C.F.R. § 90.2(a)(2), Petitioner is also electronically filing a copy of

this Notice of Appeal with the Clerk of the U.S. Court of Appeals for the Federal Circuit, and paying the requisite docketing fee.

Dated: March 28, 2023

Respectfully submitted,

By: /Joshua C. Harrison/

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**CERTIFICATE OF SERVICE**

Pursuant to 37 CFR §§ 42.6(e)(4) and 42.205(b), the undersigned certifies that on March 28, 2023, a complete and entire copy of this Petitioner's Notice of Appeal was provided via email to the Patent Owner by serving the correspondence address of record as follows:

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