

Filed: December 4, 2023

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

PETITIONER,

V.

IPA TECHNOLOGIES INC.,

PATENT OWNER.

Case No. IPR2019-00731

U.S. Patent No. 7,069,560

PATENT OWNER'S NOTICE OF APPEAL

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner IPA Technologies Inc. (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Order Denying Director Review of the Final Written Decision on Remand of the Patent Trial and Appeal Board, entered on October 5, 2023 (Paper No. 85). 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 following:

1. Whether the PTAB erred in finding that Petitioner has demonstrated by a preponderance of the evidence that Claim 28 of U.S. Patent No. 7,069,560 (the “’560 Patent”) is unpatentable.
2. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claim 28 of the ’560 Patent is unpatentable under 35 U.S.C. § 103(a) over David L. Martin, Adam J. Cheyer, and Douglas B. Moran, *Building Distributed Software Systems with the Open Agent Architecture*, PROCEEDINGS OF THE THIRD INTERNATIONAL CONFERENCE ON THE PRACTICAL APPLICATION OF INTELLIGENT AGENTS AND MULTI-AGENT TECHNOLOGY 355 (1998) (“Martin”). More specifically, whether co-author, Dr. Moran, made inventive contributions to the portions of the Martin Reference relied on by Petitioner.

Pursuant to 37 C.F.R. § 90.3(a)(1), this Notice of Appeal is timely, having been duly filed within 63 days after the Order Denying Director Review of the Final Written Decision on Remand entered October 5, 2023.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed by Priority Mail Express with the Director of the United States Patent and Trademark Office. In addition, this Notice of Appeal, along with the required docketing fees, are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: December 4, 2023

Respectfully Submitted,

/Steven W. Hartsell/

Steven W. Hartsell (Reg. No. 58,788)

SKIERMONT DERBY LLP

1601 Elm St., Ste. 4400

Dallas, Texas 75201

P: 214-978-6600/F: 214-978-6601

Lead Counsel for Patent Owner

Alexander E. Gasser (Reg. No. 48,760)

Sarah E. Spires (Reg. No. 61,501)

Paul J. Skiermont (*Pro Hac Vice*)

Jaime K. Olin (*Pro Hac Vice*)

SKIERMONT DERBY LLP

1601 Elm St., Ste. 4400

Dallas, Texas 75201

P: 214-978-6600/F: 214-978-6621

Back-Up Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served on the counsel for Petitioner a true and correct copy of the foregoing Patent Owner's Notice of Appeal by electronic means on December 4, 2023 at the following addresses of record:

Naveen Modi
Joseph E. Palys
Daniel Zeilberger
PAUL HASTINGS LLP
PH-Google-IPA-IPR@paulhastings.com

Dated: December 4, 2023

Respectfully Submitted,

/Steven W. Hartsell/
Steven W. Hartsell (Reg. No. 58,788)
Lead Counsel for Patent Owner