UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNOPSYS, INC.

Petitioner

v.

MENTOR GRAPHICS CORPORATION

Patent Owner

Case IPR2012-00042

Patent No. 6,240,376 B1

Before SALLY C. MEDLEY, HOWARD B. BLANKENSHIP, and JENNIFER S. BISK, *Administrative Patent Judges*.

NOTICE OF APPEAL OF PETITIONER SYNOPSYS, INC.

Director of the United States Patent and Trademark Office c/o Office of the General Counsel Madison Building East, 10B20 600 Dulany Street Alexandria, VA 22314-5793

Pursuant to 35 U.S.C. §§ 141-44, 319 and 37 C.F.R. § 90.2(a), notice is hereby given that Petitioner Synopsys, Inc. ("Synopsys") appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on February 19, 2014 (Paper No. 60), and from all underlying findings, orders, decisions, rulings and opinions, including, without limitation, those within the Decision on Institution of *Inter Partes* Review entered on February 22, 2013 (Paper No. 16).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner Synopsys further indicates that the issues on appeal include, but are not limited to: the claim constructions of the Patent Trial and Appeal Board; the decision of the Patent Trial and Appeal Board denying Synopsys's petition to cancel claims 1-4, 6-7, 11, 28-29 of U.S. Patent No. 6,240,376 ("the '376 patent"); the dismissal by the Patent Trial and Appeal Board of Synopsys's motion to exclude evidence; the decision by the Patent Trial and Appeal Board denying certain grounds advanced by Synopsys in its petition to institute proceedings to cancel claims 1-15 and 20-33 of the '376 patent; and any finding or determination supporting or relating to those issues, as

 $\mathbf{2}$

well as all other issues decided adversely to Petitioner Synopsys in any orders, decisions, rulings and opinions.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, three copies of 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: April 22, 2014

Respectfully submitted,

By: /William H. Wright/ William H. Wright CA Bar No. 161580 Registration No. 36,312 wwright@orrick.com ORRICK, HERRINGTON & SUTCLIFFE LLP 777 South Figueroa Street Suite 3200 Los Angeles, CA 90017 Tel: (213) 629-2020 Fax: (213) 612-2499

Travis Jensen CA Bar No. 259925 Registration No. 60,087 <u>tjensen@orrick.com</u> ORRICK, HERRINGTON & SUTCLIFFE LLP 1000 Marsh Road Menlo Park, CA 94025-1015 Tel: (650) 614-7400 Fax: (650) 614-7401

Attorneys for Petitioner Synopsys, Inc.

CERTIFICATE OF SERVICE AND FILING

I hereby certify that, in addition to being filed and served electronically

through the Board's PRPS System, the original version of the foregoing, NOTICE

OF APPEAL OF PETITIONER SYNOPSYS, INC., was filed by hand on this

22nd day of April, 2014, with the Director of the United States Patent and

Trademark Office, at the following address:

Director of the United States Patent and Trademark Office c/o Office of the General Counsel, 10B20 Madison Building East 600 Dulany Street Alexandria, Virginia

I further certify that three (3) true and correct copies of the foregoing,

NOTICE OF APPEAL OF PETITIONER SYNOPSYS, INC., and the filing fee

were filed by hand on this 22nd day of April, 2014, with the Clerk's Office of the

United States Court of Appeals for the Federal Circuit, at the following address:

United States Court of Appeals for the Federal Circuit 717 Madison Place, N.W., Suite 401 Washington, DC 20005

I further certify that Patent Owner Mentor Graphics Corporation was served when I caused the foregoing NOTICE OF APPEAL OF PETITIONER SYNOPSYS, INC. to be electronically filed via the Board's PRPS System, which will automatically send notification of such filing to counsel of record.

I further certify that Patent Owner Mentor Graphics Corporation was served the foregoing NOTICE OF APPEAL OF PETITIONER SYNOPSYS, INC., via electronic mail pursuant to 37 C.F.R. § 42.6(e) and the agreement of counsel of record for Patent Owner Mentor Graphics Corporation as follows:

Christopher L. McKee and Michael S. Cuviello

Mentoripr@bannerwitcoff.com

Dated: April 22, 2014

By: <u>/William H. Wright/</u> William H. Wright CA Bar No. 161580 Registration No. 36,312 <u>wwright@orrick.com</u> ORRICK, HERRINGTON & SUTCLIFFE LLP 777 South Figueroa Street Suite 3200 Los Angeles, CA 90017 Tel: (213) 629-2020 Fax: (213) 612-2499

Travis Jensen CA Bar No. 259925 Registration No. 60,087 tjensen@orrick.com ORRICK, HERRINGTON & SUTCLIFFE LLP 1000 Marsh Road Menlo Park, CA 94025-1015 Tel: (650) 614-7400 Fax: (650) 614-7401

Attorneys for Petitioner Synopsys, Inc.