

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC.

Petitioner

v.

EVERYMD LLC

Patent Owner

Case IPR2014-00242

Patent 8,499,047

PATENT OWNER'S NOTICE OF APPEAL

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner EveryMD LLC ("EveryMD") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered by the Patent Trial and Appeal Board ("PTAB") on May 12, 2015 (Paper 31) (the "Final Written Decision").

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner EveryMD LLC further indicates that the issues on appeal include, but are not limited to, the PTAB's denial of EveryMD's motion to amend the claims of the '047 Patent, the PTAB's application and use of the broadest reasonable interpretation standard for amendments proposed during the IPR proceedings, the PTAB's claim construction for amendments proposed during the IPR proceedings, the PTAB's application and use of the written description support requirement for amendments proposed during the IPR proceedings, the PTAB's determination of unpatentability of claims proposed during the IPR proceedings under 35 U.S.C. § 103, the PTAB's application of the preponderance of the evidence standard with respect to determining patentability of claims proposed during the IPR proceedings, the relative burdens of proof of the Patent Owner and Petitioner with respect to

determining patentability of claims proposed during the IPR proceedings, and any finding or determination supporting or related to those issues, as well as all other issues decided adversely to Patent Owner EveryMD in any orders, decisions, rulings and opinions.

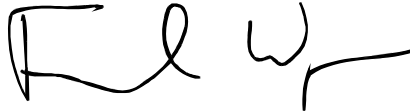
Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the PTAB and the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

TECHCOASTLAW

July 8, 2015

By:



Frank Michael Weyer
Registration No. 33,050
Lead Counsel for Patent Owner

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CERTIFICATE OF SERVICE

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS), the original version of the foregoing, PATENT OWNER'S NOTICE OF APPEAL, was filed by first class priority mail on this 8th day of July, 2015, 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
P.O. Box 1450
Alexandria VA 22313-1450

I hereby certify that a true and correct copy of the foregoing, PATENT OWNER'S NOTICE OF APPEAL, was filed electronically on this 8th day of July, 2015, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit:

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

I hereby certify that a copy of foregoing, PATENT OWNER'S NOTICE OF APPEAL was served by electronic service by e-mail this July 8, 2015 on lead counsel for petitioner at the e-mail addresses specified by the petitioner in its consent to electronic service indicated below:

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Respectfully submitted,

TECHCOASTLAW

July 8, 2015

By:

A handwritten signature in black ink, appearing to read 'F. Weyer', with a long horizontal stroke extending to the right.

Frank Michael Weyer
Registration No. 33,050
Lead Counsel for Patent Owner

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