

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOTOROLA SOLUTIONS, INC.,
Petitioner,

v.

MOBILE SCANNING TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2013-00093
Patent 6,065,880
Issue Date: May 23, 2000
Title: LASER ENHANCED PERSONAL DATA ASSISTANT

Before, SCOTT R. BOALICK, GLENN J. PERRY and
BRIAN J. McNAMARA, *Administrative Patent Judges*

**PATENT OWNER MOBILE SCANNING TECHNOLOGIES'
NOTICE OF APPEAL**

General Counsel
United States Patent and Trademark Office
P.O. Box 15667
Arlington, VA 22215

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Mobile Scanning Technologies, LLC (“MST”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on April 24, 2014 (Paper 61) and from all underlying orders, decisions, rulings and opinions, including without limitation the Decision on Institution of *Inter Partes* Review entered on April 29, 2013 (Paper 28).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner MST further indicates that the issues on appeal include, but are not limited to, the Patent Trial and Appeal Board's application and use of the broadest reasonable interpretation standard, claim construction, determination of unpatentability of claims 18-20 of U.S. Patent No. 6,065,880 ("the '880 patent") under 35 U.S.C. §§ 102 and 103, determination that Petitioner had standing to institute this proceeding, and any finding or determination supporting or related to those issues, as well as all other issues decided adversely to Patent Owner MST in any orders, decisions, rulings, and opinions.

Patent Owner MST also hereby appeals the United States Patent and Trademark Office exceeding its statutory authority through rulemaking, including

without limitation by adopting rule 37 C.F.R. § 42.100(b) alleging unexpired claims should be given their “broadest reasonable construction.”

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.

Respectfully submitted,



Charles J. Rogers
Reg. No. 38,286
Conley Rose, P.C.
1001 McKinney St., Suite 1800
Houston, Texas 77002-6421
Phone: 713-238-8049
Fax: 713-238-8008
e-mail: CRogers@conleyrose.com

Lead Counsel for Patent Owner
Mobile Scanning Technologies, LLC

CERTIFICATE OF FILING

Pursuant to 37 C.F.R. §§ 90.2(a)(1) and 104.2(a), I hereby certify that on June 25, 2014, in addition to being filed electronically through the Board's PRPS System, the original version of the foregoing *Patent Owner's Notice of Appeal* was filed via Express Mail with the Director of the United States Patent and Trademark Office, mailed to the following address:

General Counsel
United States Patent and Trademark Office
P.O. Box 15667
Arlington, VA 22215

CERTIFICATE OF FILING

Pursuant to 37 C.F.R. §§ 90.2(a)(2) and 104.2(b), I hereby certify that on June 25, 2014, three (3) true and correct copies of the foregoing *Patent Owner's Notice of Appeal* were filed by hand 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.
Washington, DC 20439

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I hereby certify that on June 25, 2014, the foregoing *Patent Owner's Notice of Appeal* is being served electronically by agreement of the parties, by e-mail to the following counsel of record.

Mitchel S. Feller
Sobel & Feller LLP
305 Madison Ave., Suite 1420
New York, NY 10022
Phone: 212-308-0600
Fax: 213-308-0611

msfeller@sobelfeller.com

Lead Counsel for Petitioner
Motorola Solutions, Inc.

Aaron B. Bernstein
Motorola Solutions, Inc.
One Motorola Plaza
Holtsville, NY 11742-1300
Phone: 631-738-4055

aaron.bernstein@motorolasolutions.com

Back-up Counsel for Petitioner
Motorola Solutions, Inc.



Charles J. Rogers