

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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CUSTOMPLAY, LLC  
Petitioner

v.

CLEARPLAY, INC.  
Patent Owner

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Case No.: IPR 2014-00339  
Patent No.: 7,526,784

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**PATENT OWNER'S NOTICE OF APPEAL**

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Patent Owner, ClearPlay, Inc., hereby provides notice, pursuant to 37 CFR § 90.2(a), that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on July 21, 2015.

The issue on appeal is the PTAB's decision that Petitioner proved by a preponderance of the evidence that claims 1, 2 and 4-9 are unpatentable including, but not limited to, the PTAB's use of conclusions in the Final Written Decision that are contrary to conclusions the PTAB reached in the Institution Decision regarding the teachings of the prior art.

Dated this 22<sup>nd</sup> day of September, 2015.

Respectfully submitted,

/Brian Tucker/

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**CERTIFICATE OF SERVICE**

I certify that, on September 22, 2015, I emailed a copy of this Notice of Appeal to Petitioner's counsel Steven Greenberg at [sgreenberg@crgolaw.com](mailto:sgreenberg@crgolaw.com) and Kara Brotman at [kbrotman@crgolaw.com](mailto:kbrotman@crgolaw.com).

I also certify that, on September 22, 2015, a copy of this Notice of Appeal was submitted via the PTAB's Patent Review Processing System and mailed, via USPS Certified Mail (tracking # 7015 0640 0007 1624 7518), to the Director of the USPTO at the following address:

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

I further certify that, on September 22, 2015, a copy of this Notice of Appeal was submitted via CM/ECF with the accompanying fee to the Clerk's Office of the United States Court of Appeals for the Federal Circuit.

Dated this 22<sup>nd</sup> day of September, 2015.

Respectfully submitted,

/Brian Tucker/

Brian D. Tucker, Reg. No. 61,550