

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SEAGATE TECHNOLOGY (US) HOLDINGS, INC. and
SEAGATE TECHNOLOGY LLC,
Petitioner,

v.

ENOVA TECHNOLOGY CORP.,
Patent Owner.

Case IPR2014-00683
Patent 7,136,995 B1

**PATENT OWNER ENOVA TECHNOLOGY CORP.'S
NOTICE OF APPEAL**

Patent Owner's Notice of Appeal

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a) and 35 U.S.C. §§ 141-142, that Patent Owner Enova Technology Corp. ("Enova") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on September 2, 2015 (Paper 47), and from all underlying orders, decisions, rulings and opinions.

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii), Enova indicates that the issues on appeal include, but are not limited to, the following:

- The Patent Trial and Appeal Board's (the "Board") claim construction that was unreasonably broad and divorced from the claims, specification, and prosecution history of U.S. Patent 7,136,995 (the "'995 patent").
- The Board's determination of unpatentability of claims 1–15 of the '995 patent.
- The Board's failure to exclude Petitioner's new theory raised for the first time in the reply brief, to which Enova did not have an adequate opportunity to respond.

Patent Owner's Notice of Appeal

- The Board's legal errors in undertaking the obviousness analysis, the Board's findings that conflict with the evidence of record or are not supported by substantial evidence, and other issues decided adversely to Patent Owner.

Simultaneous with this submission to the Director of the United States Patent and Trademark Office, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board and served upon Petitioner. 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 via CM/ECF.

IPR2014-00683

Patent Owner's Notice of Appeal

Dated: October 29, 2015

Respectfully submitted,

By: /Hector J. Ribera/
Hector J. Ribera (Reg. No. 54,397)
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
hribera@fenwick.com
Telephone: 650-988-8500
Facsimile: 650-938-5200

Ajeet P. Pai (Reg. No. 66,119)
Vinson & Elkins LLP
2801 Via Fortuna, Suite 100
Austin, TX 78746
Telephone: (512) 542-8400
Facsimile: (512) 236-3317

Darryl M. Woo
Vinson & Elkins LLP
525 Market Street, Suite 2750
San Francisco, CA 94105
Telephone: (415) 979-6900
Facsimile: (415) 651-8786

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), a true and correct copy of the foregoing, Patent Owner Enova Technology Corp.'s Notice of Appeal, was filed by **hand delivery** on October 29, 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
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314-5793

CERTIFICATE OF SERVICE

I hereby certify that the foregoing, Patent Owner Enova Technology Corp.'s Notice of Appeal, was filed with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, via **CM/ECF** on October 29, 2015.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Patent Owner Enova Technology Corp.'s Notice of Appeal was served on October 29, 2015, on the following attorneys of record for Petitioner SEAGATE TECHNOLOGY (US)

HOLDINGS, INC. and SEAGATE TECHNOLOGY LLC in accordance with the agreement of the parties, as indicated below.

Richard M. Marsh, Jr. (Reg. No. 59,031) Faegre Baker Daniels LLP 3200 Wells Fargo Center 1700 Lincoln Street Denver, CO 80203	[X] By Email: richard.marsh@faegrebd.com
Elizabeth Cowan Wright (Reg. No. 73,199) Faegre Baker Daniels LLP 2200 Wells Fargo Center 90 S. Seventh Street Minneapolis, MN 55402-3901	[X] By Email: elizabeth.cowanwright@faegrebd.com
David J.F. Gross Calvin L. Litsey Faegre Baker Daniels 1950 University Ave., Suite 450 East Palo Alto, CA 94303	[X] By Email: david.gross@faegrebd.com calvin.litsey@faegrebd.com

Dated: October 29, 2015

Respectfully submitted,

/Ajeet P. Pai/

Ajeet P. Pai (Reg. No. 66,119)
Vinson & Elkins LLP
2801 Via Fortuna, Suite 100
Austin, TX 78746
Telephone: (512) 542-8400
Facsimile: (512) 236-3317