

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HTC CORPORATION and HTC AMERICA, INC.
Petitioners

v.

NFC TECHNOLOGY, LLC
Patent Owner

Case IPR2014-01198
Patent 6,700,551

PATENT OWNER'S NOTICE OF APPEAL

via PRPS
Patent Trial and Appeal Board

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

via CM/ECF
United States Court of Appeals for the Federal Circuit

Patent Owner, NFC Technology, LLC (“NFCT”), hereby gives notice, pursuant to 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a), Federal Rule of Appellate Procedure 15(a), and Federal Circuit Rule 15(a)(1), of its appeal to the United States Court of Appeals for the Federal Circuit. NFCT appeals the Patent Trial and Appeal Board’s Final Written Decision entered on February 3, 2016 (Paper No. 56), in the above-captioned *inter partes* review of U.S. Patent No. 6,700,551. NFCT’s appeal includes any underlying orders, decisions, rulings, and opinions as well as any issues raised during these proceedings. This notice is timely filed within 63 days of the Board’s Final Written Decision. 37 C.F.R. § 90.3(a)(1).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), NFCT further indicates that the issues on appeal include, without limitation, the following:

(i) the Board’s determination that claims 1-3 and 5 of the ’551 patent are unpatentable over the art of record in this proceeding;

(ii) the Board’s claim constructions;

(iii) the Board’s order granting Petitioner’s motion to strike (paper 41);

(iv) the Board’s analysis of whether the Sears reference is prior art;

(v) the Board’s obviousness analysis;

(vi) the Board’s determination that the petition established the unpatentability of claims 1-3 and 5 of the ’551 patent; and

(vii) any finding or determination supporting or related to the above-mentioned issues as well as other issues decided adversely to NFCT including in any orders, decisions, rulings, and/or opinions.

Simultaneous with this submission, NFCT is filing a true and correct copy of this Notice of Appeal with the Director of the U.S. Patent and Trademark Office and electronically filing the same, along with the required docketing fees, with the Clerk of the U.S. Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Date: April 5, 2016

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jon E. Wright/

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CERTIFICATE OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through PRPS, a true and correct copy of the above-captioned PATENT OWNER'S NOTICE OF APPEAL is being filed by hand with the Director of the U.S. Patent and Trademark Office on April 5, 2016, 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, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned PATENT OWNER'S NOTICE OF APPEAL and the filing fee is being filed via the electronic filing system, CM/ECF, with the Clerk's Office of the U.S. Court of Appeals for the Federal Circuit on April 5, 2016.

Date: April 5, 2016

Respectfully submitted,
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jon E. Wright/

Jon E. Wright (Registration No. 50,720)
Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the enclosed **PATENT OWNER'S NOTICE OF APPEAL** was served electronically via e-mail on April 5, 2016 in its entirety on Attorneys for Petitioners:

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