

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BLACKBERRY CORP. AND BLACKBERRY LTD.,

Petitioners,

v.

ZIPIT WIRELESS INC.,

Patent Owner.

Case IPR2014-01507

U.S. Patent No. 7,292,870

PETITIONERS' NOTICE OF APPEAL

via PRPS
Patent Trial and Appeal Board

First-Class Mail
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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Petitioners, **BLACKBERRY CORP. AND BLACKBERRY LTD.**, hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on March 29, 2016 (Paper No. 50) (the "Final Written Decision"), and from all underlying orders, decisions, rulings and opinions regarding U.S. Patent No. 7,292,870 ("the '870 Patent").

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioners further indicate that the issues on appeal may include the following, as well as any underlying findings, determinations (including claim constructions), rulings, decisions, opinions, or other related issues:

The Board erred in finding that:

(1) claims 1, 2, 5–8, 11, 12, 17, 18, 20, 21, 24–27, 30, 31, 36, 37, and 40 of the '870 patent are not unpatentable under 35 U.S.C. § 102 as anticipated by e740 User's Manual;

(2) claims 1, 2, 5–8, 11, 12, 17, 18, 20, 21, 24–27, 30, 31, 36, 37, and 40 of the '870 patent are not unpatentable under 35 U.S.C. § 103(a) as obvious over the e740 User's Manual and Symbol;

(3) claims 1, 2, 5–8, 11, 12, 17–21, 24–27, 30, 31, and 36–40 of the '870 patent are not unpatentable under 35 U.S.C. § 103(a) as obvious over the e740 User's Manual and Morrison; and

(4) claims 9, 10, 28, and 29 of the '870 patent are not unpatentable under 35 U.S.C. § 103(a) as obvious over the e740 User's Manual and the e750 User's Manual.

Simultaneously with this submission, Petitioners are providing a true and accurate copy of this Notice of Appeal to the Office of the General Counsel for the U.S. Patent and Trademark Office via U.S. First-Class Mail and submitting via ECF a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit, as set forth in the accompanying Certificate of Filing.

Respectfully submitted,

Oblon, McClelland, Maier &
Neustadt, LLP

Dated: May 11, 2016

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CERTIFICATION OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through PRPS, a true and correct copy of the above-captioned NOTICE OF APPEAL is being provided via first-class mail to 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
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned NOTICE OF APPEAL is being filed via CM/ECF with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Oblon, McClelland, Maier &
Neustadt, LLP

Dated: May 11, 2016

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies service of PETITIONERS' NOTICE OF APPEAL on the counsel of record for the Petitioners by filing this document through the Patent Review Processing System as well as delivering a copy via electronic mail to the following addresses:

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