

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KAPSCH TRAFFICCOM IVHS INC. AND
KAPSCH TRAFFICCOM HOLDING CORP.

Petitioners

v.

NEOLOGY, INC.

Patent Owner

U.S. Patent No. 8,325,044

IPR Case No.: IPR2015-00819

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 90.2(a), notice is hereby given that Patent Owner, Neology, Inc., (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeals Board entered on September 13, 2016 in case IPR2015-00819, Paper 42, and from all underlying findings, orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner indicates that the issues on appeal include, but are not limited to, the Board’s determinations of unpatentability of claims 1-3, 7-12, 16-20, 23 and 24 of U.S. Patent No. 8,325,044 B2 (the “‘044 Patent”) over Snodgrass, Slavin and Snodgrass, or Hurta, alone or in combination with other references, and the findings supporting those determinations, including construction of the limitation “provide access to the memory based on a security key,” any other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions issued in this proceeding.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal and the required fee are being submitted to the Clerk’s Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Date: November 15, 2016	<p><i>/Noel C. Gillespie/</i></p> <hr/> <p>Noel C. Gillespie, Reg. No. 47,596 Victor M. Felix, Reg. No. 53,906 Procopio, Cory, Hargreaves & Savitch LLP 525 B Street, Suite 2200 San Diego, CA 92101-4469 Telephone: (619) 238-1900 Facsimile: (619) 235-0398</p> <p><i>Attorneys for Patent Owner</i></p>
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CERTIFICATE OF SERVICE

(37 C.F.R. §§ 42.6(e) and 42.105(a))

The undersigned hereby certifies that the above-captioned PATENT OWNER'S NOTICE OF APPEAL was served in its entirety on November 15, 2016, by filing this document through the Patent Trial and Appeal Board's E2E System and was filed with the Director of the United States Patent and Trademark Office c/o the Office of General Counsel 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
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby also certify that on November 15, 2016, a true and correct copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL was filed electronically with the Clerk's Office of the United States Court of Appeals for the Federal Circuit via CM/ECF, with a courtesy paper copy to the clerk via Federal Express.

I hereby further certify that on November 15, 2016, a true and correct copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL has been served in its entirety by delivering a copy via electronic mail upon the following at Kapsch_IPR_Service@kirkland.com:

Gregg F. LoCascio
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Respectfully submitted,

/Noel C. Gillespie/

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