

Patent No. 8,648,717

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

SIERRA WIRELESS AMERICA, INC., SIERRA WIRELESS, INC. AND RPX  
CORP.

Petitioner

v.

M2M SOLUTIONS LLC  
Patent Owner

Patent No. 8,648,717  
Issue Date: February 11, 2015  
Title: PROGRAMMABLE COMMUNICATOR

---

*Inter Partes* Review No. 2015-01823

---

PETITIONERS' NOTICE OF APPEAL

U.S. Patent No. 8,648,717

Notice of Appeal

Director of the United States Patent and Trademark Office

c/o Office of the Solicitor

Madison Building East, 10B20

600 Dulany Street

Alexandria, VA 22314-5793

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Petitioners Sierra Wireless America, Inc., Sierra Wireless, Inc., and RPX Corp. (“Petitioners”) hereby appeal to the United States Court of Appeals for the Federal Circuit under 35 U.S.C. §§ 141 and 142 from the Final Written Decision of the Patent Trial and Appeal Board entered on March 6, 2017 (Paper 38) (the “Final Written Decision”), and from all underlying orders, decisions, rulings and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the expected issues on appeal include, but are not limited to, the Patent Trial and Appeal Board’s determination that claims 1, 3, 5, 6, 10–13, and 15–23 of U.S. Patent No. 8,648,717 (the ‘717 Patent) are not unpatentable under 35 U.S.C. § 103, and any finding or determination supporting or related to this determination.

Simultaneously with this submission, a copy of this Notice of Appeal is

U.S. Patent No. 8,648,717

Notice of Appeal

being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal, along with the required docketing fees and the Final Written Decision, are being electronically filed with the United States Court of Appeals for the Federal Circuit, and a paper copy is also being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Dated: May 8, 2017

By: /s/Jennifer Hayes

Jennifer Hayes (CA Bar 241533)  
USPTO Reg. No. 50,845  
Nixon Peabody LLP  
300 S. Grand Avenue, Suite 4100  
Los Angeles, CA 90071  
Telephone: 213-629-6179  
Fax: 866-781-9391  
Email: [jenhayes@nixonpeabody.com](mailto:jenhayes@nixonpeabody.com)

U.S. Patent No. 8,648,717

Notice of Appeal

**CERTIFICATE OF SERVICE**

I hereby certify that, in addition to being filed electronically through the Patent and Trial Board's Patent Review Processing System (PRPS), the original version of the foregoing Petitioners' Notice of Appeal was filed by Express Mail Label EM397761969US on this 8th day of May, 2017, 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 Solicitor  
United States Patent and Trademark Office  
Mail Stop 8  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: /s/Jennifer Hayes

Lead Counsel for Petitioner

U.S. Patent No. 8,648,717

Notice of Appeal

**CERTIFICATE OF SERVICE**

I hereby certify that the Final Decision and a correct copy of the foregoing Petitioners' Notice of Appeal was filed electronically, along with with the Final Written Decision and the payment of the required fees, on this 8th day of May, 2017, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit. I hereby certify that a paper copy of the Final Decision and Notice of Appeal was also filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

By: /s/Jennifer Hayes

Lead Counsel for Petitioner

U.S. Patent No. 8,648,717

Notice of Appeal

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Notice of Appeal was served on May 8, 2017 upon the following parties via email:

Jeffrey Costakos

[jcostakos@foley.com](mailto:jcostakos@foley.com)

Michelle Moran

[mmoran@foley.com](mailto:mmoran@foley.com)

By: /Jennifer Hayes/

Lead Counsel for Petitioner