UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION,
Petitioner

v.

BRADIUM TECHNOLOGIES LLC,
Patent Owner

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CASE IPR2016-00449
Patent 8,924,506 B2

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**PATENT OWNER'S NOTICE OF APPEAL**

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a)(1), that Patent Owner Bradium Technologies LLC ("Patent Owner" or "Bradium") hereby timely appeals under 35 U.S.C. §§ 141, 142, and 319 to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on July 26, 2017 (Paper No. 67), and from all underlying orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Bradium states that the issues for appeal include, but are not limited to: (i) whether the Board erred in finding claims 1–21 of U.S. Patent No. 8,924,506 unpatentable; (ii) whether *inter partes* review proceedings violate the Constitution by extinguishing private property rights through a non-Article III forum without a jury; (iii) whether the Board violated Bradium's due process rights, acted in an arbitrary or capricious manner and/or exceeded its authority, or otherwise erred in instituting the IPR2016-00449 *inter partes* review proceeding after denying institution of IPR2015-01435 based on a petition by the same Petitioner Microsoft. A copy of the Final Written Decision is attached hereto.

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

being filed with the Patent Trial and Appeal Board. In addition, a copy is being electronically filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit (via CM/ECF), along with the required docketing fee.

Furthermore, a copy of this Notice of Appeal is being served on Petitioner Microsoft.

Dated: September 20, 2017

*/s/ Chris J. Coulson*

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's End to End System (PTAB E2E), the foregoing PATENT OWNER'S NOTICE OF APPEAL will be sent by Express Mail, tracking number: EL 913104030 US, September 20, 2017, with the Director of the United States Patent and Trademark Office, at the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

In addition, the undersigned certifies that a copy of the foregoing Notice of Appeal, along with the required docket fee, has or will be filed on September 20, 2017, with the Clerk's Office for the United States Court of Appeals for the Federal Circuit through the Court's CM/ECF filing system.

The undersigned certifies pursuant to 37 C.F.R. § 42.6(e) that a true copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL will be served in its entirety this 20th day of September, 2017, by electronic mail on the Petitioner via its attorneys of record:

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