

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RIVERBED TECHNOLOGY, INC.; DELL INC.; HEWLETT-PACKARD
ENTERPRISE CO.; HP ENTERPRISE SERVICES, LLC; TERADATA
OPERATIONS, INC.; ECHOSTAR CORPORATION; HUGHES NETWORK
SYSTEMS, LLC; and VERITAS TECHNOLOGIES, LLC,

Petitioners,

v.

REALTIME DATA LLC,

Patent Owner.

Case IPR2016-00978¹
Patent No. 8,643,513

PATENT OWNER REALTIME DATA LLC'S NOTICE OF APPEAL

Office of the Solicitor

U.S. Patent & Trademark Office Mail Stop 8
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted Electronically via the PTAB E2E System

¹ Case IPR2017-00366 has been joined with this proceeding.

Pursuant to 35 U.S.C. §§ 141, 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-90.3, Patent Owner Realtime Data LLC (“Realtime”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered on October 30, 2017, in IPR2016-00978 (Paper No. 67) (“Final Written Decision”), and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding the inter partes reviews (IPR2016-00978 and the IPRs consolidated and/or joined with it) of U.S. Patent No. 8,643,513 B2 (the “’513 patent”).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Realtime states that the issues on appeal may include, but are not limited to: the Board’s determination that claims 1–4, 6, 10–16, 18–20, and 22 of the ‘513 patent have been shown to be unpatentable; the Board’s consideration of the expert testimony, prior art, and other evidence in the record; and the Board’s factual findings, conclusions of law, or other determinations supporting or related to those issues, as well as all other issues decided adversely to Realtime in any orders, decisions, rulings, and opinions.

This Notice of Appeal is being e-filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit, along with payment

of the required docketing fees. In addition, a copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board.

Respectfully submitted,

/s/ William P. Rothwell

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Counsel for Patent Owner

Date: November 3, 2017

CERTIFICATION OF FILING

The undersigned hereby certifies that the foregoing **PATENT OWNER'S NOTICE OF APPEAL** was filed electronically through the Patent Trial and Appeal Board's End to End System (PTAB E2E) on November 3, 2017. A copy of this Notice of Appeal was also sent on November 3, 2017 by Priority mail to the United States Patent and Trademark Office at the following address:

Office of the Solicitor
U.S. Patent & Trademark Office Mail Stop 8
P.O. Box 1450
Alexandria, VA 22313-1450

Respectfully submitted,

/s/ William P. Rothwell

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Counsel for Patent Owner

Date: November 3, 2017

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The undersigned hereby certifies that the foregoing **PATENT OWNER'S NOTICE OF APPEAL** was filed electronically through the United States Court of Appeals for the Federal Circuit's CM/ECF system on November 3, 2017.

Respectfully submitted,

/s/ William P. Rothwell

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Counsel for Patent Owner

Date: November 3, 2017

CERTIFICATION OF SERVICE

The undersigned hereby certifies that the foregoing **PATENT OWNER'S NOTICE OF APPEAL** was served electronically via e-mail on November 3, 2017, to the following counsel of record for Petitioner:

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