

Filed on behalf of Collabo Innovations, Inc.
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION,
Petitioner,

v.

COLLABO INNOVATIONS, INC.,
Patent Owner.

Case IPR2016-00940
U.S. Patent No. 8,030,724

PATENT OWNER'S NOTICE OF APPEAL

via CM/ECF, United States Court of Appeals for the Federal Circuit

via hand delivery
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, Room 10B20
600 Dulany Street
Alexandria, VA 22314-5793

Pursuant to 35 U.S.C. § 141 and 37 C.F.R. § 90.2, notice is hereby given that Patent Owner Collabo Innovations, Inc. (“Collabo”) appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision in IPR2016-00940 that the Patent Trial and Appeal Board (“PTAB”) entered on October 20, 2017 (Paper No. 25) and from all underlying orders, decisions, rulings and opinions, including, without limitation the Decision on Institution of *Inter Partes* Review entered on October 24, 2016 (Paper No. 7).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Collabo states that the issues on appeal include, but are not limited to: (1) the PTAB’s express and implied claim constructions, including but not limited to the erroneous construction of a “peripheral circuit region,” and the PTAB’s consequent error in applying the claim constructions to determine that Petitioner had shown claims 1-4 of U.S. Patent No. 8,030,724 B2 (“the ’724 patent”) to be unpatentable; (2) the PTAB’s finding that the differences between claims 1–4 of the ’724 patent and Asano (WIPO Publication WO2006/073085 A1) would have been obvious; (3) whether the Board exceeded its administrative power and whether the *inter partes* review process is in violation of the U.S. Constitution (*e.g.*, by extinguishing private property rights through a non-Article III forum without a jury). *See Oil States Energy Servs., LLC v. Greene's Energy Grp., LLC*, 2017 WL 2507340 (U.S. June 12, 2017); and (4)

any finding or determination supporting or relating to those issues, as well as all other issues decided adversely to Collabo in any orders, decisions, rulings and opinions.

Simultaneous with this submission, three (3) copies of this Notice of Appeal are being filed with the Clerk of the United States Court of Appeals for the Federal Circuit, together with the requisite fee. In addition, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board and served upon counsel of record for Patent Owner.

Dated: December 22, 2017

Respectfully submitted,



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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 90.2(a)(1) and 104.2(b), the undersigned hereby certifies that on December 22, 2017, the original of the foregoing Notice of Appeal was filed with the Director of the United States Patent and Trademark Office by hand-delivery, at the following address:

Director of the United States Patent and Trademark Office
c/o Office of General Counsel
10B20, Madison Building East
600 Dulany Street
Alexandria, VA 22314-5793

In addition, pursuant to 37 C.F.R. § 90.2(a)(1) and 37 C.F.R. § 42.6(b), the undersigned certifies that on December 22, 2017, a copy of the foregoing Notice of Appeal was filed electronically with the Board through the Board's End-to-End System.

In addition, pursuant to 37 C.F.R. § 90.2(a)(2) and Federal Circuit Rule 15(a)(1), the undersigned certifies that on December 22, 2017, the requisite fee for the appeal and three (3) true and correct copies of the foregoing Notice of Appeal were filed with the Clerk of Court of the United States Court of Appeals for the Federal Circuit by hand-delivery, at the following address:

Daniel E. O'Toole
Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place, NW, Room 401
Washington, DC 20439

In addition, the undersigned hereby certifies that document has been served via electronic mail on December 22, 2017, to Petitioner at following email addresses pursuant to its consent in its Updated Mandatory Notices (Paper 24): smith@smithbaluch.com, baluch@smithbaluch, and gu@turnerboyd.com.



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