

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC. and
WHATSAPP, INC.,
Petitioners

v.

UNILOC 2017 LLC,¹
Patent Owner

IPR2016-01756
U.S. Patent No. 8,571,194 B2

PATENT OWNER'S NOTICE OF APPEAL

Mail Stop
Patent Board
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

¹ The Patent Owner was previously Uniloc Luxembourg, SA and is now Uniloc 2017 LLC

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner Uniloc 2017 LLC. (“Patent Owner”) hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered March 13, 2018 (Paper 34); the Decision Denying Patent Owner’s Request for Rehearing entered June 11, 2018 (Paper 36); and from all underlying findings, orders, decisions, rulings, and opinions, including, without limitation the institution decision entered March 16, 2017 (Paper 9).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner states that the issues for appeal include, but are not limited to: the Patent Trial and Appeals Board (“Board”)’s determinations in the institution decision; the Board’s determination that claims 1, 3–6, 8–11, and 13–15 of U.S. Patent No. 8,571,194 B2 (the “194 patent”) have been shown by a preponderance of the evidence to be unpatentable; the Board’s denying Patent Owner’s Request for Rehearing; the Board’s subsequent determination that claims s 1, 3, 4, 6, 8, 9, 11, 13, and 14 have been shown by a preponderance of the evidence to be unpatentable under 35 U.S.C. § 103 as obvious over Wu, Glasser, and DeSimone; the Board’s subsequent determination that claims 5, 10, and 15 have been shown by a preponderance of the evidence to be unpatentable under 35 U.S.C. § 103 as obvious over Wu, Glasser, DeSimone, and Young; the Board’s subsequent determination that claims 1, 3, 4, 6, 8, 9, 11, 13, and 14 have been shown by a preponderance of the evidence to be unpatentable under 35 U.S.C. § 103 as obvious over Wu, Glasser, DeSimone, and Howard; the Board’s subsequent determination

that claims 5, 10, and 15 have been shown by a preponderance of the evidence to be unpatentable under 35 U.S.C. § 103 as obvious over Wu, Glasser, DeSimone, Howard, and Young; the Board's consideration and analysis 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 relating to the above issues.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office. Simultaneous with this submission, a copy of this Notice is being filed with the Patent Trial and Appeal Board. In addition, a copy of this Notice, along with the required docketing fees, is being filed with the Clerk's office of the United States Court of Appeals for the Federal Circuit.

DATED: August 13, 2018

By: /s/ Brett A. Mangrum

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CERTIFICATE OF SERVICE

The undersigned certifies that, in addition to being filed electronically through the Patent Trial and Appeal Board's E2E, the foregoing Notice of Appeal was filed by Express Mail on August 13, 2018 16, 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 General Counsel
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned certifies that a copy of the foregoing Notice of Appeal, along with the required docket fee, was filed on August 13, 2018, 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 service pursuant to 37 C.F.R. § 42.6(e) of a copy of this Notice of Appeal by electronic mail on August 13, 2018, on the counsel of record for Petitioner:

Heidi Keefe, hkeefe@cooley.com

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DATED: August 13, 2018

By: /s/ Brett A. Mangrum