

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NVIDIA CORPORATION,
Petitioner,

v.

POLARIS INNOVATIONS LIMITED,
Patent Owner.

Cases IPR2017-01346
Patent No. 8,161,344

PETITIONER'S NOTICE OF APPEAL

Pursuant to 37 C.F.R § 90.2(a) and 35 U.S.C. § 142, Petitioner, NVIDIA Corporation, (“Petitioner”), hereby respectfully gives notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on November 20, 2018 (Paper 29) and from all underlying orders, decisions, rulings and opinions that are adverse to Petitioner, including, without limitation, those within the Decision on Institution of *Inter Partes* Review, entered January 9, 2018 (Paper 9).

In accordance with 37 C.F.R § 90.2(a)(3)(ii), Petitioner further indicates that the issues on appeal include, but are not limited to, the Board’s determination that claims 2, 19, 20, 22, 26-30, and 44 of U.S. Patent No. 8,161,344 are not unpatentable on the grounds presented in this proceeding; the Board’s constructions of “data arrangement alteration device” and “data arrangement alteration algorithm”; the Board’s determination that, even under its flawed constructions, the prior art of record does not teach performing the same “data arrangement alteration algorithm” in a first error coding path and in a second error coding path; the Board’s construction of the claimed “means for selectively performing a first error coding so as to create a first error coding data block,” and, in particular, the Board’s identification of corresponding structure; the Board’s determination that, even under its flawed construction, the prior art of record does not teach the identified structure (or equivalents thereof) for the “means for

selectively performing a first error coding so as to create a first error coding data block”; and any finding or determination supporting or related to those issues; as well as all other issues decided adversely to Petitioner in any orders, decisions, rulings and opinions.

Contemporaneously with this submission, a copy of the Notice of Appeal is being filed electronically with the Patent Trial and Appeal Board. In addition, a copy of this Notice of Appeal, along with the required docketing fees, are being electronically filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Date: January 11, 2019

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CERTIFICATE OF SERVICE

In accordance with 37 CFR § 90.2(a)(1) and § 104.2, I hereby certify that on January 11, 2019, in addition to being filed electronically through the Board's E2E System, the original version of the foregoing, Patent Owner's Notice of Appeal was filed by hand on 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
Madison Building East, 10B20
600 Dulany Street
Alexandria, VA 22314-5793

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2019, a true and correct copy of the foregoing, Patent Owner's Notice of Appeal, along with a copy of the Final Written Decision, was filed electronically with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, DC 20005

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(1), the undersigned certifies that on January 11, 2019, a complete and entire copy of this Patent Owner's Notice of Appeal was provided via email, to the Petitioner by serving the email correspondence addresses of record as follows:

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