

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Fidelity Information Services, LLC,
Petitioner,

v.

Mirror Imaging, LLC,
Patent Owner.

Case CBM2017-00064
Patent 6,963,866

MIRROR IMAGING'S NOTICE OF APPEAL

Dated: June 9, 2019

Derek Clements
Reg. No. 74,183
BOLD Intellectual Property PLLC
Lead Counsel for Patent Owner

Isaac Rabicoff
Reg. No. 74,147
RABICOFF LAW LLC
Backup Counsel for Patent Owner

Mayer Morganroth
MORGANROTH &
MORGANROTH, PLLC
Backup Counsel for Patent Owner

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Mirror Imaging, LLC ("Mirror Imaging") hereby appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board's ("PTAB") Final Written Decision in Case No. **CBM2017-00064** entered **April 9, 2019** ("Final Written Decision"), and from all underlying orders, decisions, rulings, and opinions which adversely affected Mirror Imaging.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Mirror Imaging further indicates that the issues on appeal include, but are not limited to, the Board's determination of unpatentability of **claims 1-55** of U.S. Patent No. **6,963,866** under 35 U.S.C. § 101; the Board's claim construction determinations; the Board's application of its construction to the facts of record; the Board's consideration of the record evidence, including but not limited to expert testimony; the constitutionality of inter partes review proceedings; and all findings or determinations supporting or related to those issues, as well as any other issues decided adversely to Mirror Imaging in any orders, decisions, rulings and opinions.

Pursuant to 37 C.F.R. § 90.2(a)(1) and (a)(2), and as reflected in the attached Certificate of Service, this Notice of Appeal is being electronically filed with the Patent Trial and Appeal Board through the PRPS System and the United States Court of Appeals for the Federal Circuit through the CM/ECF System along with

the requisite filing fee. A copy is also being served on the Office of the General Counsel at the U.S. Patent and Trademark Office.

Dated: June 9, 2019

Respectfully submitted,

/Isaac Rabicoff/

Isaac Rabicoff

Reg. No. 74,147

isaac@rabilaw.com

RABICOFF LAW LLC

73 W Monroe St

Chicago, IL 60603

773-669-4590

Derek Clements

Reg. No. 74,183

derek@boldip.com

**BOLD Intellectual Property
PLLC**

6100 219th St. SW, Suite 480

Mountlake Terrace, WA 98043

(800) 849-1913

Mayer Morganroth

mmorganroth@morganrothlaw.com

MORGANROTH &

MORGANROTH, PLLC

344 North Old Woodward Ave.,
Suite 200

Birmingham, MI 48009

(248) 864-4000

**Counsel for Patent Owner
Mirror Imaging, LLC**

CERTIFICATE OF FILING AND SERVICE

The undersigned certifies in accordance with 37 C.F.R. § 42.6(e) that on June 9, 2019, a copy of the foregoing **PATENT OWNER'S NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT** was served via email on the Petitioners at:

Erika Harmon Arner
erika.arner@finnegan.com
Reg. No. 57,540
Two Freedom Square
119955 Freedom Drive
Reston, VA 20190
Tel.: (571) 203-2754

Kevin D. Rodkey
kevin.rodkey@finnegan.com
Reg. No. 65,506
Two Freedom Square
119955 Freedom Drive
Reston, VA 20190
Tel.: (404) 653-6484

FIS-MirrorImaging@finnegan.com

I also certify that in addition to being filed electronically with the Board through its PRPS System, the original of the foregoing Notice of Appeal is being served, pursuant to 37 C.F.R. § 104.2, via Federal Express on June 10, 2019 to 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)
600 Dulany Street

Alexandria, Virginia 22313

I further certify that a Notice of Appeal was filed via CM/ECF on **June 8, 2019**, with the United States Court of Appeals for the Federal Circuit.

Dated: June 9, 2019

/Isaac Rabicoff/
Isaac Rabicoff, Reg. No. 74,147
Counsel for Mirror Imaging, LLC