

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MEDIATEK INC. AND MEDIATEK USA INC., and
ARM LTD. AND ARM, INC.,
Petitioners,

v.

ADVANCED MICRO DEVICES, INC. AND ATI TECHNOLOGIES ULC,
Patent Owner.

Case IPR2018-00101
Case IPR2018-01148
Patent 7,633,506 B1

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. § 141 and 37 C.F.R. § 90.2, Patent Owner ATI Technologies ULC (“ATI” or “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 April 29, 2019 (Paper 48) and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent 7,633,506 (“the ’506 patent”) at issue in *Inter Partes* Review IPR2018-00101 and the joined proceeding IPR2018-01148.

In accordance with and for the purpose of providing the Director with the information requested pursuant to 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner anticipates that the issues on appeal may include, but are not limited to the following:

- the Patent Trial and Appeal Board’s construction of the challenged claims;
- the Board’s determination that claims 1-9 of the ’506 patent are unpatentable;
- the Board’s determination that Petitioners met their burden of proving that claims 1-9 of the ’506 patent are unpatentable;
- the Board’s reliance, in its institution and final written decisions, on new and inconsistent theories, grounds, arguments, factual assertions, and

claim constructions, and the resulting lack of due process and violations of the Administrative Procedure Act;

- the Board's acting outside of its statutory limit and jurisdiction;
- the Board's failure to adequately explain and support its decision;
- the Board's dismissal of ATI's December 18, 2018 Motion to Exclude Evidence Pursuant to 37 C.F.R. § 42.64;
- the Board's denial of ATI's July 27, 2018 Contingent Motion to Amend Under 37 C.F.R. § 42.121;
- the Board's denial of ATI's September 14, 2018, Motion for Additional Discovery and failure to find that IPR2018-00101 should have been terminated as time barred; and
- any findings or determinations supporting or relating to the foregoing issues, as well as all other issues decided adversely to Patent Owner in any order, decisions, rulings, or opinions.

Simultaneous with this filing and in accordance with 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a)(1), this Notice is being filed with the Director of the United States Patent and Trademark Office, and a copy of this Notice is being concurrently filed with the Patent Trial and Appeal Board. In addition, a copy of this Notice along

with the required docketing fees are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit via CM/ECF.

Dated: July 1, 2019

/William A. Meunier/

William A. Meunier (Reg. No. 41,193)
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, MA 02111
Telephone: (617) 348-1615
Facsimile: (617) 542-2241
AMD_IPRS@mintz.com

CERTIFICATE OF SERVICE

I certify that on July 1, 2019, copies of the Patent Owner's Notice of Appeal were filed with the Patent Trial and Appeal Board and served and/or filed as set forth below:

Service and Filing by Hand Delivery:

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

Electronic Filing by CM/ECF and Hand Delivery:

Honorable Peter R. Marksteiner, Clerk of Court
United States Court of Appeals for the Federal Circuit
717 Madison Place, NW, Suite 401
Washington, DC 20439

Service by Electronic Mail pursuant to 37 C.F.R. § 42.6:

Christopher J. Higgins	0CHPTABDocket@orrick.com and ptabdocket@orrick.com
Don Daybell	D2DPTABDocket@orrick.com

Dated: July 1, 2019

/William A. Meunier/
William A. Meunier (Reg. No. 41,193)