

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG ELECTRONICS, INC., LG ELECTRONICS U.S.A., INC.,
LG ELECTRONICS MOBILECOMM U.S.A., INC.,

Petitioner

v.

WI-LAN INC., WI-LAN USA, INC.,
WI-LAN LABS, INC.,

Patent Owner

IPR2018-00673
U.S. Patent No. 9,497,743

PETITIONER'S NOTICE OF APPEAL

via E2E
Patent Trial and Appeal Board

via 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, VA 22314

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

Pursuant to 35 U.S.C. §§ 141-44 and 319, and 37 C.F.R. § 90.2-90.3, notice is hereby given that Petitioner LG Electronics, Inc., LG Electronics U.S.A., Inc., and LG Electronics Mobilecomm U.S.A., Inc., (collectively referred to as "Petitioner") appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered September 5, 2019 (Paper 48) in IPR2018-00673, and all prior and interlocutory rulings related thereto or subsumed therein.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner's issues on appeal include at least:

(i) the Board erred in failing to find claims 6 through 9 of U.S. Patent No. 9,497,743 unpatentable; and

(ii) the Board erred in construing the phrase "message requesting the base station to poll the cellular telephone"; and

(iii) any findings or determinations supporting or related to the aforementioned issues, the Board's constitutional authority to make any findings or determinations, and all other issues decided adversely to LG Electronics, Inc., LG Electronics U.S.A., Inc., and/or LG Electronics Mobilecomm U.S.A., Inc. in any orders, decisions, rulings, phone conference decisions, and/or opinions.

Pursuant to 37 C.F.R. § 90.3, this Notice of Appeal is timely filed within 63 days of the Final Written Decision dated September 5, 2019.

Simultaneously with this submission, Petitioner is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Respectfully submitted,

November 5, 2019
Date

/David L. McCombs/
David L. McCombs
Registration No. 32,271
Lead Counsel for Petitioner

CERTIFICATE OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through PTAB E2E, a true and correct copy of the above-captioned PETITIONER'S NOTICE OF APPEAL is being filed by hand with the Director on November 5, 2019, at the following address:

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

The undersigned also hereby certifies that a true and correct copy of the above-captioned PETITIONER'S NOTICE OF APPEAL and the filing fee is being filed via CM/ECF with the Clerk's Office of the United States Court of Appeals for the Federal Circuit on November 5, 2019.

Respectfully submitted,

November 5, 2019
Date

/David L. McCombs/
David L. McCombs
Registration No. 32,271
Lead Counsel for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PETITIONER'S NOTICE OF APPEAL was served electronically in its entirety on the following counsel for Patent Owner:

| | |
|--------------------------|---|
| <i>Date of service</i> | November 5, 2019 |
| <i>Manner of service</i> | Email: doug.wilson@armondwilson.com ipr@armondwilson.com |
| <i>Documents served</i> | PETITIONER'S NOTICE OF APPEAL |
| <i>Persons served</i> | Douglas R. Wilson Armond Wilson LLP 9442 Capital of Texas Hwy North Plaza 1, Suite 500 Austin, TX 78729 |

/David L. McCombs/
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