

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

CENTRIPETAL NETWORKS, INC.,
Patent Owner.

Case IPR2018-01436
U.S. Patent No. 9,124,552

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner, Centripetal Networks, Inc., hereby provides notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“the Board”) entered January 23, 2020, (Paper 40) and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent 9,124,552 (“the ’552 patent”) at issue in *inter partes* review IPR2018-01436.

The issues on appeal, pursuant to 37 C.F.R. § 90.2(a)(3)(ii) include, but are not limited to, the Board’s determination that a user manual entitled “Sourcefire 3D system User Guide” Version 4.10 (“Sourcefire manual”) qualifies as a printed publication; the Board’s reliance on arguments that exceeded the proper scope of Petitioner’s Reply; the Board’s interpretation and construction of the claims, including the Board’s construction of the term “HTTPS packet”; the Board’s determination that Petitioner showed by a preponderance of the evidence that claims 1–21 of the ’552 Patent are unpatentable under 35 U.S.C. § 103 over the Sourcefire manual in view of the knowledge, skill, and creativity of a person of ordinary skill in the art; the Board’s interpretation of the Sourcefire manual; motivation to modify the Sourcefire manual; any finding or determination supporting or related to those issues; the Board’s determination that the evidence

Patent Owner's Notice of Appeal
IPR2018-01436 (U.S. Patent No. 9,124,552)

of secondary considerations as well as other issues decided adversely to Centripetal Networks, Inc. in any orders, decisions, rulings, and opinions.

Copies of Patent Owner's Notice of Appeal are being filed simultaneously with the Director of the United States Patent and Trademark Office, the Patent Trial and Appeal Board, and the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

Dated: March 24, 2020

/James Hannah/

James Hannah (Reg. No. 56,369)
jhannah@kramerlevin.com
Kramer Levin Naftalis & Frankel LLP
990 Marsh Road
Menlo Park, CA 94025
Tel: 650.752.1700 Fax: 650.752.1800

Jeffrey Price (Reg. No. 69,141)
jprice@kramerlevin.com
Kramer Levin Naftalis & Frankel LLP
1177 Avenue of the Americas
New York, NY 10036
Tel: 212.715.7502 Fax: 212.715.8302

(Case No. IPR2018-01436)

Attorneys for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Petitioner as detailed below.

Date of service March 24, 2020

Manner of service Electronic Mail (PDMcPherson@duanemorris.com;
PCMuldoon@duanemorris.com;
japowers@duanemorris.com;
CJTyson@duanemorris.com)

Documents served PATENT OWNER'S NOTICE OF APPEAL

Persons Served Patrick D. McPherson
Patrick Muldoon
Joseph A. Powers
Christopher J. Tyson

In addition, the foregoing Patent Owner's Notice of Appeal was filed by Express Mail on March 24, 2020, with the United States Patent and Trademark Office at the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned hereby certifies that the foregoing Patent Owner's Notice of Appeal was electronically filed with the United States Court of Appeals for the Federal Circuit through CM/ECF and pay.gov on March 24, 2020.

Patent Owner's Notice of Appeal
IPR2018-01436 (U.S. Patent No. 9,124,552)

/James Hannah/

James Hannah (Reg. No. 56,369)
Kramer Levin Naftalis & Frankel LLP
990 Marsh Road,
Menlo Park, CA 94025
(650) 752-1700