

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RALPH LAUREN CORPORATION,

Petitioner,

v.

LEXOS MEDIA IP, LLC,

Patent Owner.

CASE: IPR2018-01755

Patent No. 6,118,449

PETITIONER'S NOTICE OF APPEAL

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

Pursuant to 35 U.S.C. §§ 141, 142, and 319 and 37 C.F.R. § 90.2(a), Petitioner Ralph Lauren Corporation (“Petitioner” or “RLC”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered March 25, 2020 (Paper 22), and from all underlying orders, decisions, rulings, and opinions.

In accordance with 37 C.F.R. §90.2(a)(3)(ii), Petitioner further indicates that the issues on appeal may include, but are not limited to, the following: (1) the PTAB’s determination that Petitioner has not demonstrated by a preponderance of the evidence that claims 1, 7, 15, 53, 54, 63, and 73 of U.S. Patent No. 6,118,449 (“the ’449 Patent”) are unpatentable as obvious under 35 U.S.C. § 103(a) by the combination of U.S. Patent No. 6,437,800 (“Malamud”) and U.S. Patent No. 5,920,311 (“Anthias”); (2) the PTAB’s determination that Petitioner has not demonstrated by a preponderance of the evidence that claims 12, 14, 38, 60, 62, and 79 of the ’449 Patent are unpatentable as obvious under 35 U.S.C. § 103(a) by the combination of Malamud, Anthias, and U.S. Patent No. 5,991,781 (“Nielsen”); (3) the PTAB’s determination that Petitioner has not demonstrated by a preponderance of the evidence that claims 2, 3, 5, 6, 28, 29, 31, 32, 55, 56, 58, 59,

74, 75, 77, and 78 are unpatentable as obvious under 35 U.S.C. § 103(a) by the combination of Malamud, Anthias, and U.S. Patent No. 5,715,416 (“Baker”); (4) the PTAB’s determination that Petitioner has not demonstrated by a preponderance of the evidence that claims 13, 39, 61, and 80 of the ’449 Patent are unpatentable as obvious under 35 U.S.C. § 103(a) by the combination of Malamud, Anthias, Nielsen, and Baker; (5) the PTAB’s determination that Petitioner has not demonstrated by a preponderance of the evidence that claims 1, 7, 15, 27, 33, 41, 53, 54, 63, 72, 73, and 82 of the ’449 Patent are unpatentable as obvious under 35 U.S.C. § 103(a) by the combination of Baker and Anthias; (6) the PTAB’s determination that Petitioner has not demonstrated by a preponderance of the evidence that claims 12, 14, 38, 40, 60, 62, 79, and 81 of the ’449 Patent are unpatentable as obvious under 35 U.S.C. § 103(a) by the combination of Baker, Anthias, and Nielsen; (7) its failure to adequately address arguments about a reference relied on in multiple grounds; (8) its conclusion that Petitioner raised new arguments on reply; and (9) any finding or determination supporting or related to those issues, as well as all other issues decided adversely to Petitioners’ in any orders, decisions, rulings and/or opinions.

In addition to this submission, a copy of this Notice of Appeal is being filed with the Director of the United States Patent and Trademark Office and the Board, and a copy is being electronically filed with the Clerk’s Office for the United

States Court of Appeals for the Federal Circuit (via CM/ECF), along with the required docketing fee.

Dated: May 27, 2020

PERKINS COIE LLP
3150 Porter Drive
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Respectfully submitted,

/ James F. Valentine /

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Ralph Lauren Corporation

CERTIFICATE OF FILING

I certify that the foregoing was filed electronically with the Board through the PTAB E2E System, and a paper copy was served by Priority Mail Express on May 27, 2020 with the Director of the United States Patent and Trademark Office, at the following address:

Director of the U.S. Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

I further certify that a true and correct copy of the foregoing Notice of Appeal, along with the required filing fee, was filed electronically with the Court of Appeals for the Federal Circuit via CM/ECF on May 27, 2020. Pursuant to Federal Circuit Administrative Order No. 20-01, a paper copy of this Notice of Appeal has not been filed with the Court of Appeals.

Dated: May 27, 2020

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Respectfully submitted,

/ James F. Valentine /

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