

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION.,
Petitioner

v.

HERA WIRELESS S.A.,
Patent Owner

Case IPR2018-01700
Patent No. 7,369,878 B2

PATENT OWNER'S NOTICE OF APPEAL

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Submitted Electronically via PTAB E2E

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
P.O. Box 1450
Alexandria, VA 22314-5793

Pursuant to 35 U.S.C. §§ 141-44 and 319, and 37 C.F.R. § 90.2-90.3, notice is hereby given that Patent Owner Hera Wireless S.A., and Sisvel UK Limited, appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered April 2, 2020 (Paper 30) in IPR2018-01700 (Exhibit A), and from all underlying findings, determinations, rulings, opinions, orders, and decisions regarding the *inter partes* review of U.S. Patent No. 7,369,878 (the “’878 patent”).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner states that the issues on appeal may include, but are not limited to, the Board’s determination that claims 1–4 of the ’878 patent have been shown to be unpatentable, including the Board’s determination that claims 1–4 are anticipated by U.S. Patent App. Pub. No. 2001/0014588 A1 to Ishida (“Ishida”); the Board’s consideration of the expert testimony, prior art, and other evidence in the record; the Board’s factual findings, conclusions of law, or other determinations supporting or related to those issues; as well as all other issues decided adversely to Patent Owner in any orders, decisions, rulings, and opinions. The issues on appeal may also include constitutional and Appointments Clause issues implicated by the recent *Arthrex* and *Polaris* cases. *See Arthrex, Inc. v. Smith & Nephew, Inc.*, 941 F.3d 1320 (Fed. Cir. 2019); *Polaris Innovations Ltd. v. Kingston Tech. Co., Inc.*, 792 F. App’x 820 (Fed. Cir. Jan. 31, 2020).

Pursuant to 37 C.F.R. § 90.3(b), this Notice of Appeal is timely, having been duly filed within 63 days after the Final Written Decision entered April 2, 2020.

A copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board, the Director of the U.S. Patent and Trademark Office, the Clerk's Office for the United States Court of Appeals for the Federal Circuit, and served on Petitioners.

Dated: June 3, 2020

DEVLIN LAW FIRM LLC

/s/ Timothy Devlin
Timothy Devlin
Registration No. 41,706
1526 Gilpin Avenue
Wilmington, DE 19806
(302)-449-9010
TD-PTAB@devlinlawfirm.com
Attorney for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on June 3, 2020, I caused a true and correct copy of the foregoing materials to be served via the Patent Office electronic filing system, and electronic service via email to the following attorneys of record pursuant to Petitioner's consent.

LEAD COUNSEL	BACK-UP COUNSEL
Tyler R. Bowen USPTO Reg. No. 60,461 PERKINS COIE LLP 2901 North Central Avenue, Suite 2000 Phoenix, AZ 85012-2788 Phone: 602.351.8000 Fax: 602.648.7000 TBowen@perkinscoie.com Intel-Hera-Service-IPR@perkinscoie.com.	Chad S. Campbell CSCampbell@perkinscoie.com Bryan S. Banks USPTO Reg. No. 52,588 Bbanks@perkinscoie.com Nathan Roger Kassebaum nkassebaum@perkinscoie.com PERKINS COIE LLP 2901 North Central Avenue, Suite 2000 Phoenix, AZ 85012-2788 Phone: 602.351.8000 Fax: 602.648.7000

/s/ Timothy Devlin
Timothy Devlin