

Filed on behalf of Supercell Oy

By:

JENNIFER R. BUSH, Reg. No 50,784

MICHAEL J. SACKSTEDER

FENWICK & WEST LLP

801 California Street

Mountain View, CA 94041

Telephone: 650.988.8500

Facsimile: 650.938.5200

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GREE, INC.,
Petitioner,

v.

SUPERCCELL OY,
Patent Owner.

Inter Partes Review No. IPR2019-00083

U.S. Patent No. 9,104,520 B2

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 90.2 and 35 U.S.C. §§ 141 and 142, Supercell Oy (“Patent Owner”) respectfully gives notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board’s Final Written Decision entered on May 11, 2020 (Paper 45), and from all other underlying orders, decisions, rulings, and opinions regarding U.S. Patent No. 9,104,520 (the “’520 patent”) in *inter partes* review IPR2019-00083.

For the limited purpose of providing the Director of the United States Patent and Trademark Office with the information specified in 37 C.F.R. § 90.2(a)(3)(ii), the issues on appeal include the Board’s determination of unpatentability of claims 1-8, 10-16, 18-20 of the ’520 Patent under 35 U.S.C. § 103, the determination of unpatentability of proposed contingent amended claims 21–28, 30–36, and 38–40, the Board’s construction of the claim terms “customized information portion,” “removing,” “obtaining,” and “[t]he ‘comment field of the zip file’ / ‘comment field of the apk file,’” and any finding or determination supporting or related to those issues, as well as other issues decided adversely to Patent Owner in any orders, decisions and rulings.

Simultaneous with this filing and in accordance with 35 U.S.C. § 142 and 37 C.F.R. §§ 42.6(e), 90.2 and 90.3, this Notice of Appeal is being filed with the Director and served on Petitioner. This Notice of Appeal, along with the required

IPR2019-00083

Patent No. 9,104,520 – Patent Owner’s Notice of Appeal

fees, is also being filed with the Clerk’s Office for the United States Court of Appeals for the Federal Circuit in accordance with Fed. Cir. R. 15(a)(1).

Dated: July 13, 2020

Respectfully submitted,

/Jennifer R. Bush/

JENNIFER R. BUSH
Reg. No. 50,784
Attorney for Patent Owner

CERTIFICATE OF FILING

I hereby certify that on July 13, 2020, a true and correct copy of the foregoing PATENT OWNER’S NOTICE OF APPEAL was filed electronically through the Patent Trial and Appeal Board’s End to End (E2E) system, and that the original of the foregoing was delivered via mail to the Director of the United States Patent and Trademark Office, at the following address in accordance with 37 C.F.R. §§ 42.6(b), 90.2(a), and 104.2:

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

CERTIFICATE OF FILING

I hereby certify that on July 13, 2020, a true and correct copy of the foregoing PATENT OWNER’S NOTICE OF APPEAL was filed electronically via the CM/ECF system with the Clerk of Court for the United States Court of Appeals for the Federal Circuit, and that the requisite fee was paid in accordance with 37 C.F.R. § 90.2(a)(2) and Federal Circuit Rule 15.

CERTIFICATION OF SERVICE

Pursuant to 37 C.F.R. § 42.6, the undersigned certifies that on July 13, 2020, I caused a true and correct copy of the foregoing PATENT OWNER’S NOTICE OF APPEAL to be electronically served via email on Petitioner’s lead and backup counsel:

John C. Alemanni
Kilpatrick Townsend LLP
42088 Six Forks Road, Suite 1400
Raleigh, NC 27609
jalemanni@kilpatricktownsend.com

Andrew Rinehart
Kilpatrick Townsend LLP
1001 West Fourth Street
Winston-Salem, NC 27101
arinehart@kilpatricktownsend.com

Michael T. Morlock
Kilpatrick Townsend LLP
1100 Peachtree Street, NE, Suite 2800
Atlanta, GA 30309-4528
mmorlock@kilpatricktownsend.com

Kasey E. Koballa
Kilpatrick Townsend LLP
607 14th Street, N.W., Suite 900
Washington, D.C. 20005
kkoballa@kilpatricktownsend.com

Steven D. Moore
Kilpatrick Townsend LLP
Two Embarcadero Center, Suite 1900
San Francisco, CA 94111
smoore@kilpatricktownsend.com

Dated: July 13, 2020

FENWICK & WEST LLP

/Jennifer R. Bush/
JENNIFER R. BUSH
Reg. No. 50,784
Attorney for Patent Owner

Fenwick & West LLP
801 California Street
Mountain View, CA 94041