

Filed: December 10, 2020

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,

PETITIONER,

V.

IPA TECHNOLOGIES INC.,

PATENT OWNER.

Case No. IPR2019-00733

U.S. Patent No. 7,036,128

PATENT OWNER'S NOTICE OF APPEAL

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

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner IPA Technologies Inc. (“Patent Owner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board, entered on October 15, 2020 (Paper No. 54). In accordance with 37 C.F.R. § 90.2(a)(3)(ii). Patent Owner indicates that the issues on appeal include, but are not limited to the following:

1. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claims 1–12, 20, and 21 of U.S. Patent No. 7,036,128 (“the ’128 Patent”) are unpatentable.
2. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claims 1, 2, 5, 20, and 21 are unpatentable under 35 U.S.C. § 103(a) over David L. Martin, Adam J. Cheyer, and Douglas B. Moran, Building Distributed Software Systems with the Open Agent Architecture, PROCEEDINGS OF THE THIRD INTERNATIONAL CONFERENCE ON THE PRACTICAL APPLICATION OF INTELLIGENT AGENTS AND MULTI-AGENT TECHNOLOGY 355 (1998) (“Martin”) and U.S. Patent No. 5,528,248 (“Steiner”).
3. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claim 3 is unpatentable under 35

U.S.C. § 103(a) over U.S. Patent No. 5,608,635 (“Tamai”), Martin, and Steiner.

4. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claim 4 is unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 5,835,881 (“Trovato”), Martin, and Steiner.
5. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claim 6 is unpatentable under 35 U.S.C. § 103(a) over WO 93/05492 (“Anagnostopoulos”), Tamai, Martin, and Steiner.
6. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claims 7-11 are unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 6,009,355 (“Obradovich”), Martin, and Steiner.
7. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claim 12 is unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 5,434,907 (“Hurst”), Obradovich, Martin, and Steiner.

Pursuant to 37 C.F.R. § 90.3(a)(1), this Notice of Appeal is timely, having been duly filed within 63 days after the Final Written Decision entered October 15, 2020.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed by Priority Mail Express with the Director of the United States Patent and Trademark Office. In addition, this Notice of Appeal, along with the required docketing fees, are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Dated: December 10, 2020

Respectfully Submitted,

/Steven W. Hartsell/

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that I caused to be served on the counsel for Petitioner a true and correct copy of the foregoing Patent Owner's Notice of Appeal by electronic means on December 10, 2020 at the following addresses of record:

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Dated: December 10, 2020

Respectfully Submitted,

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