

Filed: December 10, 2020

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,

PETITIONER,

V.

IPA TECHNOLOGIES INC.,

PATENT OWNER.

Case No. IPR2019-00811

U.S. Patent No. 6,851,115

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. 44). 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, 12–14, and 26–28 of U.S. Patent No. 6,851,115 (“the ’115 Patent”) are unpatentable.
2. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claims 1 and 26–28 are unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 6,484,155 (“Kiss”) and FIPA 97 Version 1.0 Specification (“FIPA97”).
3. Whether the PTAB erred in finding that Petitioner has shown by a preponderance of the evidence that Claims 12–14 are unpatentable under 35 U.S.C. § 103(a) over Kiss, FIPA97, and Douglas B. Moran, et al., *Multimodal User Interfaces in the Open Agent Architecture*, PROCEEDINGS OF 1997 INTERNATIONAL CONFERENCE ON INTELLIGENT USER INTERFACES 61 (“Moran”).

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/

Steven W. Hartsell (Reg. No. 58,788)

SKIERMONT DERBY LLP

1601 Elm St., Ste. 4400

Dallas, Texas 75201

P: 214-978-6600/F: 214-978-6601

Lead Counsel for Patent Owner

Alexander E. Gasser (Reg. No. 48,760)

Sarah E. Spires (Reg. No. 61,501)

Sadaf R. Abdullah (*Pro Hac Vice*)

SKIERMONT DERBY LLP

1601 Elm St., Ste. 4400

Dallas, Texas 75201

P: 214-978-6600/F: 214-978-6621

Back-Up Counsel for Patent Owner

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 or record:

Joseph Micallef
Scott Border
SIDLEY AUSTIN LLP
jmicallef@sidley.com
sborder@sidley.com

Dated: December 10, 2020

Respectfully Submitted,

/Steven W. Hartsell/
Steven W. Hartsell (Reg. No. 58,788)
Counsel for Patent Owner