

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner

v.

WILDSEED MOBILE, LLC,
Patent Owner

Case IPR2023-00248
U.S. Patent No. 7,376,414

**PATENT OWNER'S NOTICE OF APPEAL OF FINAL
WRITTEN DECISION**

via PTAB P-TACTS
Patent Trial and Appeal Board

via email to efileSO@uspto.gov
Director of the United States Patent and Trademark Office
c/o Office of the Solicitor
United States Patent & Trademark Office
Mail Stop 8, P.O. Box 1450
Alexandria, VA 22314

via CM/ECF
United States Court of Appeals for the Federal Circuit

INTRODUCTION

Wildseed Mobile, LLC's ("Patent Owner") appeal stems from the Patent Trial and Appeal Board's Final Written Decision, entered on April 9, 2024 (Paper 32, "Final Written Decision") in the above-captioned *inter partes* review of U.S. Patent No. 7,376,414 ("the '414 patent").

PATENT OWNER'S APPEAL

Pursuant to 35 U.S.C. §§ 141-142 and 319, 5 U.S.C. §§ 701-706, 28 U.S.C. § 1295(a)(4)(A), and 28 U.S.C. § 1651, and in accordance with 37 C.F.R. §§ 90.2-90.3, and Federal Circuit Rule 15(a)(1), notice is hereby given that Patent Owner appeals to the U.S. Court of Appeals for the Federal Circuit from the Final Written Decision entered on April 9, 2024 (Paper 32) in IPR2023-00248 and all prior and interlocutory rulings related thereto or subsumed therein. This notice is timely filed within 63 days of the Final Written Decision (Paper 32).

PATENT OWNER'S ISSUES ON APPEAL

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner states that the issues for appeal include, but are not limited to whether claims 1-7 and 9-14 of the '414 patent are unpatentable under 35 U.S.C. § 103 as obvious over Frerichs, Kawasaki, and Kauffman.

Simultaneously with this submission, Patent Owner is filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent

and Trademark Office and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Respectfully submitted,

/Jason A. Fitzsimmons/

Date: May 17, 2024

Jason A. Fitzsimmons, Reg. No. 65,367
Michael D. Specht, Reg. No. 54,463
Richard M. Bembien, Reg. No. 68,658
Steven M. Pappas, Reg. No. 73,904
Counsel for Patent Owner
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600

David L. Alberti, Reg. No. 43,465
Sal Lim, Reg. No. 45,706
Zack Higgins, *Pro Hac Vice*
Michele Woodruff Lyons
Counsel for Patent Owner
KRAMER ALBERTI LIM & TONKOVICH LLP
577 Airport Boulevard, Suite 250
Burlingame, California 94010
(650) 825-4300

CERTIFICATION OF FILING

The undersigned certifies that, along with electronically filed through PTAB P-TACTS, a true and correct copy of the above-captioned **PATENT OWNER'S NOTICE OF APPEAL OF FINAL WRITTEN DECISION** is being filed by email with the Director on May 17, 2024, at the email address efileSO@uspto.gov, in accordance with 37 C.F.R. § 90.2(a)(1)(i).

The undersigned also hereby certifies that a true and correct copy of the above-captioned **PATENT OWNER'S NOTICE OF APPEAL OF FINAL WRITTEN DECISION** and the filing fee is being filed via CM/ECF with the Clerk's Office of the United States Court of Appeals for the Federal Circuit on May 17, 2024.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Jason A. Fitzsimmons/

Jason A. Fitzsimmons
Registration No. 65,367
Counsel for Patent Owner

Date: May 17, 2024

1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600

CERTIFICATION OF SERVICE

I certify that the above-captioned **PATENT OWNER'S NOTICE OF APPEAL OF FINAL WRITTEN DECISION** was served in its entirety on May 17, 2024, upon the following parties via electronic mail:

Andrew S. Ehmke (Lead Counsel)
Raghav Bajaj (Back-up Counsel)
Calmann J. Clements (Back-up Counsel)
HAYNES AND BOONE, LLP
andy.ehmke.ipr@haynesboone.com
raghav.bajaj.ipr@haynesboone.com
calmann.clements.ipr@haynesboone.com

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Jason A. Fitzsimmons/

Jason A. Fitzsimmons
Registration No. 65,367
Counsel for Patent Owner

Date: May 17, 2024

1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 371-2600