UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK L.L.C. AND DISH TECHNOLOGIES L.L.C.,

Petitioner,

v.

DIGITAL BROADCASTING SOLUTIONS, LLC,

Patent Owner.

***Inter Partes* Review No. IPR2023-00977**

Patent No. 9,538,122

PATENT OWNER'S NOTICE OF APPEAL

Filed on behalf of Patent Owner by:

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WILLIAMS SIMONS & LANDIS PC

Notice is hereby given, pursuant to 35 U.S.C. §§ 141, 142, and 319, and 37 C.F.R. § 90.2(a), that Patent Owner Digital Broadcasting Solutions, LLC ("DBS") appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision ("FWD") entered on December 9, 2024 (Paper 23).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), the issues on appeal include, but are not limited to the Patent Trial and Appeals Board's ("Board") determination that claims 1-20 are unpatentable; the Board's consideration and analysis of the expert testimony, prior art, and other evidence in the record; the Board's decision to institute *inter partes* review; and the Board's factual findings, conclusions of law, or other determinations, including claim constructions, supporting or relating to the above issues.

Copies of Patent Owner's Notice of Appeal are being filed concurrently with the Director of the United States Patent and Trademark Office, the Patent and Trial Appeal Board, and the United States Court of Appeals for the Federal Circuit.

DATED: January 13, 2025

Respectfully submitted,

By: /John Wittenzellner/
John Wittenzellner
Registration No. 61,662
Counsel for Patent Owner

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6 and 90.2(a)(1)(ii), the undersigned certifies that on January 13, 2025, the foregoing document was served on counsel of record for Petitioner by filing this document through P-TACTS, and by electronic mail sent to the following addresses:

Eliot D. Williams (eliot.williams@bakerbotts.com),
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Thomas Carter (thomas.carter@bakerbotts.com).

Further, pursuant to 37 C.F.R. § 90.2(a)(1)(i), the undersigned certifies that a true and correct copy of this Notice of Appeal was filed with the Director of the USPTO by electronic mail sent to: efileSO@uspto.gov

Further, pursuant to 37 C.F.R. § 90.2(a)(2), the undersigned also certifies that a true and correct copy of this Notice of Appeal was filed electronically with the Clerk's Office of the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

By: /John Wittenzellner/
John Wittenzellner
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Counsel for Patent Owner