

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT, CORP.,
Petitioner,

v.

REALD SPARK, LLC,
Patent Owner.

Case No. IPR2023-01046
Patent No. 10,740,985

PATENT OWNER'S NOTICE OF APPEAL

No. IPR2023-01046
Patent No. 10,740,985
Notice of Appeal

Pursuant to 35 U.S.C. §§ 141, 142, and 319; 37 C.F.R. §§ 90.2-90.3; Federal Rule of Appellate Procedure 15; and Federal Circuit Rule 15, Patent Owner RealD Spark, LLC (“Patent Owner”) hereby provides notice that Patent Owner appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“Board”) entered on November 19, 2024 in IPR2023-01046 (Paper No. 31) (“Final Written Decision”) including all underlying findings of fact, conclusions of law, rulings, opinions, orders, decisions, or other determinations supporting or related to the Final Written Decision.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner states that the issues on appeal include, but are not limited to: the Board’s determination that claims 1-14, and 16-19 of U.S. Patent No. 10,740,985 B2 (the “’985 Patent”) are unpatentable; the Board’s determination that Claims 1-3, 5, 10, 12-14, and 18 of the ’985 Patent are anticipated by Ganin et al., *DeepWarp: photorealistic image resynthesis for gaze manipulation*, ECCV 2016, Part II, LNCS 9906, pp. 311–326 (2016) (hereinafter “Ganin”); the Board’s determination that Claims 16 and 19 of the ’985 Patent are obvious over the combination of (1) Ganin with (2) Liu et al., *Optical flow and principal component analysis-based motion detection in outdoor videos*, EURASIP Journal on Advances in Signal Processing (2010) (hereinafter “Liu”); the Board’s determination that Claims 1-3, 5, 6, 8-14, and 16-19 of the

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'985 Patent are obvious over the combination of (1) US Patent No. 10,664,949 B2 with (2) US 2017/0132528 A1; the Board's determination that Claim 4 of the '985 Patent is obvious over the combination of (1) US Patent No. 10,664,949 B2 with (2) US 2017/0132528 and with (3) US 2018/0158246 A1; the Board's determination that Claim 7 of the '985 Patent is obvious over the combination of (1) U.S. Patent No. 10,664,949 B2 with (2) US 2017/0132528 and with (3) U.S. Patent No. 8,942,283 B2; the Board's consideration of the expert testimony, fact witness testimony, and other evidence in the record; and the Board's factual findings, conclusions of law, or other determinations supporting or related to the foregoing issues, as well as all other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions.

This Notice of Appeal is being e-filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit, along with payment of the required docketing fees. In addition, a true and correct copy of this Notice of Appeal is being filed simultaneously with the Director of the United States Patent and Trademark Office.

Respectfully submitted,

Date: February 11, 2025

/Jennifer A. Mauri/

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CERTIFICATE OF FILING

The undersigned hereby certifies that on February 11, 2025, a true and correct copy of the foregoing Patent Owner's Notice of Appeal was filed with the Director of the United States Patent and Trademark Office via electronic mail, as follows:

Office of the Solicitor
United States Patent and Trademark Office
Email: efileSO@uspto.gov

The undersigned also certifies that on February 11, 2025, a true and correct copy of the foregoing Patent Owner's Notice of Appeal was electronically filed with the Clerk of the United States Court of Appeals for the Federal Circuit via the court's CM/ECF system.

Date: February 11, 2025

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CERTIFICATE OF SERVICE

The undersigned certifies that on February 11, 2025, a true and correct copy of the foregoing Patent Owner's Notice of Appeal was served on Petitioner's counsel of record via electronic mail, as follows:

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