

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and APPLE INC.,¹
Petitioners,

v.

RJ TECHNOLOGY, LLC,
Patent Owner.

Case: IPR2023-01183
U.S. Patent No. 7,749,641

**PETITIONERS' NOTICE OF CROSS-APPEAL
OF FINAL WRITTEN DECISION**

VIA P-TACTS
Patent Trial and Appeal Board

via U.S.P.S. Priority Mail Express
Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22324-1450

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

¹ Apple Inc. was joined as a petitioner in this proceeding based on a petition and motion for joinder filed in IPR2024-00597, which was granted.

I. Introduction

Petitioners Samsung Electronics Co., Ltd. (“Samsung”) and Apple Inc. (“Apple”) (collectively, “Petitioners”) cross-appeal from the Patent Trial and Appeal Board’s Judgment Final Written Decision Determining Some Challenged Claims Unpatentable 35 U.S.C. § 318(a) entered on January 17, 2025 (Paper 39, “Final Written Decision”) in the above-captioned *inter partes* review of United States Patent No. 7,749,641 (the “’641 patent”).

Patent Owner filed a request for director review of the Final Written Decision on February 10, 2025 (Paper 41). Samsung filed an Authorized Response to Director Review Request on February 18, 2025 (Paper 43). On March 13, 2025, Patent Owner’s Director Review Request was denied (Paper 45). This notice of Petitioners’ cross-appeal is timely filed within 14 days of the filing of Patent Owner’s Notice of Appeal. 37 C.F.R. § 90.3(a)(1); Fed. R. App. P. 4(a)(3).

II. PETITIONERS’ APPEAL

Pursuant to 28 U.S.C. § 1295(a)(4)(A), 35 U.S.C. §§ 141-143, 37 C.F.R. §§ 90.2 – 90.3 and Fed. Cir. R. 15, Petitioners hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered January 17, 2025 (Paper 39) in IPR2023-001183.

III. PETITIONERS’ ISSUES ON APPEAL

As required by 37 C.F.R. § 90.2(a)(3)(ii), Petitioners state that the issues on

appeal include whether the Board erred when it failed to determine independent claims 1 and 5 to have been shown to be unpatentable where it necessarily found that the independent claims were obvious under 35 U.S.C. § 103(a) over Abe and Guyomard in connection with its decision that claims that depend from the independent claims are unpatentable. Petitioners may also raise matters of claim construction and the Board's application of those constructions to the prior art.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2, a copy of this Notice of Appeal is being filed simultaneously with the Patent Trial and Appeal Board, the Clerk's Office for the United States Court of Appeals for the Federal Circuit (along with the required docketing fees), and the Director of the Patent and Trademark Office c/o the Office of the General Counsel at the below-identified address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22324-1450

Dated: May 28, 2025

Respectfully Submitted,

/Andrew R. Sommer/

Andrew R. Sommer
Reg. No. 53,932 for Samsung
Electronics Co., Ltd.

/W. Karl Renner/

W. Karl Renner
Reg. No. 41,265 for Apple Inc.

CERTIFICATION OF FILING

The undersigned hereby certifies that, in addition to being electronically filed through P-TACTS, a true and correct copy of **PETITIONERS' NOTICE OF CROSS-APPEAL OF FINAL WRITTEN DECISION** is being filed by U.S.P.S. Priority Mail Express® with the Director on the date below at the following address:

Director of the United States Patent and Trademark Office
c/o Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22314-1450

The undersigned also hereby certifies that a true and correct copy of **PETITIONERS' NOTICE OF CROSS-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 the date below.

Dated: May 28, 2025

Respectfully Submitted,

/Andrew R. Sommer/

Andrew R. Sommer
Reg. No. 53,932

CERTIFICATE OF SERVICE

The undersigned hereby confirms that the foregoing paper was caused to be served on the 28th of May 2025 via email upon the following counsel of record for

Patent Owner:

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