UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PLR WORLDWIDE SALES LIMITED,
Petitioner

v.

FLIP PHONE GAMES, INC.,
Patent Owner

Case No. IPR2024-00132
Patent No. 9,732,202

PATENT OWNER'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. §§ 141, 142, and 319; 28 U.S.C. § 1295; 37 C.F.R. §§ 90.2–90.3; Federal Rule of Appellate Procedure 15; and Federal Circuit Rule 15, Patent Owner Flip Phones Games, Inc. ("Patent Owner") hereby gives notice that it appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board's Final Written Decision dated April 24, 2025 (Paper 29), and from all underlying findings, orders, decisions, rulings, and opinions adverse to Patent Owner, including, without limitation, those underlying the Final Written Decision. A copy of the public Final Written Decision is attached to this Notice.

In accordance with 37 C.F.R. 90.2(a)(3)(ii), Patent Owner further notes that the issues on appeal include all issues decided adversely to Patent Owner in any orders, decisions, rulings, and opinions. This will likely include, but is not limited to:

1. The Board's determination that Petitioner established that claims 1-9 of U.S. Patent No. 9,731,202 ("the '202 Patent") are unpatentable under 35 U.S.C. § 103, and any finding or determination (factual or legal) supporting that determination;

2. The Board's claim constructions, including but not limited to its construction of the claim terms "for use" and "usable" as recited in the claims;

3. Whether references that are prior art to the '202 Patent under only pre-AIA 35 U.S.C. § 102(e), including U.S. Pub. No. 2008/0102947 A1 to Hays and U.S. Pub. No. 2007/0174490 A1 to Choi, are printed publications that are usable in an *inter partes* review proceeding under 35 U.S.C. § 311(b);

4. Whether the Board erred in affording weight to Petitioner's expert testimony which substantially repeated the same analysis as stated in the Petition;

5. Whether the Board erred in its consideration of objective indicia of nonobviousness, including without limitation its determination of insufficient nexus between the challenged claims and Patent Owner's evidence of secondary considerations; and

6. Whether the Board erred in any finding or determination supporting or relating to the above-referenced issues and any other issues decided adversely to Patent Owner in any orders, decisions, rulings, or opinions of the Board.

In accordance with 37 C.F.R. 90.2(a)(1), copies of this Notice of Appeal are being filed simultaneously with the Patent Trial and Appeal Board and with the Director of the United States Patent and Trademark Office. In addition, this Notice of Appeal, along with the required docketing fees, is being filed electronically with the Clerk of the United States Court of Appeals for the Federal Circuit.

Dated: August 26, 2025

By: */Michael Morlock/*
Michael Morlock
Reg. No. 62,245
Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's P-TACTS System, the original version of the foregoing **PATENT OWNER'S NOTICE OF APPEAL** was filed on August 26, 2025, with the Director of the United States Patent and Trademark Office, by emailing the email address indicated on United States Patent and Trademark Office's web page for the Office of the General Counsel, and by Express Mail 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, Virginia 22313-1450.

The undersigned also hereby certifies that a true and correct copy of the foregoing **PATENT OWNER'S NOTICE OF APPEAL** and the filing fee is being filed via the electronic filing system, CM/ECF, with the United States Court of Appeals for the Federal Circuit on August 26, 2025, and one true and correct copy of the foregoing was sent by Express Mail on August 26, 2025 to the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

Office of the Clerk
United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, DC 20439

The undersigned hereby certifies that on the date below a copy of this **PATENT OWNER'S NOTICE OF APPEAL** was served on Petitioners by filing through the P-TACTS System and by electronic delivery via email to the following:

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Dated: August 26, 2025

By: */Michael Morlock/*
Michael Morlock
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