

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION,
Petitioner,

v.

INTERDIGITAL PATENT HOLDINGS, INC.,
Patent Owner.

IPR2024-00538
Patent 9,173,054

PETITIONER'S NOTICE OF APPEAL

Pursuant to 35 U.S.C. §§ 141(c) and 142, and 37 C.F.R. § 90.2(a), Petitioner Microsoft Corporation (“Microsoft” or “Petitioner”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Patent Trial and Appeal Board’s Final Written Decision in Case No. IPR2024-00538, concerning U.S. Patent No. 9,173,054 (“the ’054 patent”) and entered on June 23, 2025 (Paper No. 26), and from all underlying orders, decisions, rulings and opinions that are adverse to Microsoft.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner further indicates that the issues on appeal include, but are not limited to: the Board’s determination that Microsoft did not show by a preponderance of the evidence that claims 1, 3–10, 12, 14, 15, 21, 23, 25–32, 34, 36, 37, 43, 46, 47, 49, and 50 of the ’054 patent are unpatentable because the claims are entitled to a priority date of December 22, 2009, which disqualified the prior art cited in all asserted grounds. The issues on appeal also may include any finding or determination supporting or related to those issues, as well as all other issues decided adversely to Microsoft in any orders, decisions, rulings, and opinions entered in IPR2024-00538.

Pursuant to 37 C.F.R. § 90.3, this Notice of Appeal is timely, having been filed within 63 days after the date of the Final Written Decision.

Pursuant to 35 U.S.C. § 142 and 37 C.F.R. § 90.2(a), this Notice is being filed with the Director of the United States Patent and Trademark Office, the Patent Trial

and Appeal Board, and the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

August 25, 2025

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CERTIFICATE OF SERVICE

The undersigned certifies that on August 25, 2025, a true and correct copy of
PETITIONER'S NOTICE OF APPEAL was:

- (1) Electronically filed through P-TACTS;
- (2) Filed by email to the Director of the United States Patent and Trademark Office at the following address: efileSO@uspto.gov.
- (3) Filed in the U.S. Court of Appeals for the Federal Circuit using the Court's CM/ECF filing system, and paying the filing fee; and
- (4) Emailed as a courtesy copy to the following attorneys of record for the

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