IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC,

Petitioners,

v.

PROXENSE, LLC

Patent Owner

IPR2024-00846

U.S. Patent No. 8,886,954

PATENT OWNER'S NOTICE OF APPEAL

NOTICE OF APPEAL of the Final Written Decision of the Patent Trial and Appeal Board ("Board") issued on October 17, 2025, in IPR2024-00846 to the Court of Appeals for the Federal Circuit under 35 U.S.C. §§ 141(c) and 319 is hereby given pursuant to 35 U.S.C. § 142 and 37 C.F.R. §§ 90.2 and 90.3.

As to provide sufficient information to allow the Director to determine whether to exercise the right to intervene pursuant to 35 U.S.C. § 143, as required by 37 C.F.R. 90.2(a)(3)(ii), and without waiving or forfeiting any issue for appeal, Patent Owner intends raising the following on appeal:

- Violation of the APA for failing to allow Patent Owner to address developments in Re-Examination Control Number 90/015,052, including the Non-Final Office Action issued May 20, 2025 (Ex. 2018), and July 29, 2025 (Ex. 2017), which the Board authorized entry of as exhibits into the proceedings on August 7, 2025;
- The Baord's construction of the challenged claims in direct contradiction of the explicit language of the claims; and
- The Board's determination that all challenged claims are unpatentble.

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

docketing fees are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit via CM/ECF.

Dated: December 18, 2025

Respectfully submitted by,

/s/ David L. Hecht

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CERTIFICATE OF SERVICE

The undersigned herby certifies that on December 9, 2025, Patent Owner's Notice of Appeal:

- Was filed and served electronically through Board's P-TACTS System;
- Was served by email to the Director of the United States Patent and Trademark Office at the following address: efileSO@uspto.gov;
- Was filed with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, via CM/ECF; and
- Was served on Petitioner by e-mailing copies to the e-mail addresses as provided in Petitioner's Petition.

Dated: December 18, 2025

Respectfully submitted by,

/s/ David L. Hecht

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