

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,

Petitioner,

v.

S.M.R INNOVATIONS LTD and Y.M.R TECH LTD,

Patent Owners.

IPR2024-01048

U.S. Patent 10,547,648

PATENT OWNERS' NOTICE OF APPEAL

Pursuant to 35 U.S.C. §§ 141(c), 142, and 319, and in accordance with 37 C.F.R. §§ 90.2-90.3, Patent Owners S.M.R Innovations LTD and Y.M.R Tech LTD appeal to the United States Court of Appeals for the Federal Circuit from the *Final Written Decision* of the Patent Trial and Appeal Board entered on January 27, 2026, in IPR2024-01048 (Paper 29), and from all underlying findings, claim constructions, determinations, orders, decisions, rulings and opinions regarding this *inter partes* review of U.S. Patent No. 10,547,648 (“the ’648 Patent”), including the DECISION Granting Institution of *Inter Partes* Review entered on January 28, 2025 (Paper 8).

Patent Owners S.M.R Innovations LTD and Y.M.R Tech LTD timely requested Director Review of the Final Written Decision on February 26, 2026 (Paper 30). The Request for Director Review was denied on May 12, 2026 (Paper 32). Per the Director Review Process (available at <https://www.uspto.gov/patents/ptab/decisions/revised-interim-director-review-process>), “[a] request for Director Review of a final decision, a decision granting rehearing of a final decision, or any other appealable decision concluding a proceeding brought under 35 U.S.C. §§ 135, 311, or 321, or the initiation of a review on the Director’s own initiative of such a decision, will be treated as a request for rehearing under 37 C.F.R. § 90.3(b)(1) and will reset the time for appeal until after all issues on Director Review in the proceeding are resolved. 37 C.F.R. § 42.75(e)(3).” This appeal is

filed within sixty-three days from the Director's denial and is timely under 37 C.F.R. § 90.3(b).

For the limited purpose of providing the Director with the information requested in 37 C.F.R. § 90.2(a)(3)(ii), Patent Owners state that the issues for appeal include, but are not limited to, whether the challenged claims (including claims 1, 5-8, 10, 11, 13, 15, 16, 18, and 19 of the '648 patent) are unpatentable under 35 U.S.C. § 103 as obvious over the art of record (including Zhang, Fillebrown, Pasanen for claims 1, 5, 6, 15, and 18; Zhang, Fillebrown, Pasanen, and Skinner for claims 7, 11, 16, and 19; Zhang, Fillebrown, Pasanen, and Rofheart for claims 8 and 10; and Zhang, Fillebrown, Pasanen, and Angelo for claim 13), including any finding or determination (factual or legal) supporting that determination.

Patent Owners anticipate that the issues on appeal may include, but are not limited to, the following, as well as any underlying findings, claim constructions, determinations, orders, decisions, rulings, opinions, or other related issues: whether the Patent Trial and Appeal Board's decision finding that claims 1, 5-8, 10, 11, 13, 15, 16, 18, and 19 of the '648 patent are unpatentable was, for example, "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; ... in excess of statutory jurisdiction, authority or limitations, or ... without observance of procedure required by law; [or] unsupported by substantial evidence" 5

U.S.C. § 706(2)(A-E).

Simultaneously with this submission, Patent Owners are filing a true and correct copy of this Notice of Appeal with the Director of the United States Patent and Trademark Office and a true and correct copy of the same, along with the required docketing fee, with the Clerk of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Dated: July 13, 2026

Respectfully submitted,

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Counsel for Patent Owners

CERTIFICATION OF FILING

The undersigned certifies that, along with being electronically filed through PTAB P-TACTS, a true and correct copy of the above-captioned PATENT OWNERS' NOTICE OF APPEAL is being filed by email with the Director on July 13, 2026, at the email address efileSO@uspto.gov, in accordance with 37 C.F.R. § 90.2(a)(1)(i).

The undersigned also hereby certifies that a true and correct copy of the above-captioned PATENT OWNERS' NOTICE OF APPEAL 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 July 13, 2026.

Dated: July 13, 2026

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(a) and (b), I certify that on the date indicated below, a true and accurate copy of the foregoing document was served on the following counsel for Petitioner via e-mail, pursuant to Petitioner's consent to e-mail service:

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