

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GARMIN INTERNATIONAL, INC. ET AL.,  
Petitioners,

v.

CUOZZO SPEED TECHNOLOGIES LLC,  
Patent Owner.

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Case IPR2012-00001  
Patent 6,778,074

Before JAMESON LEE, MICHAEL P. TIERNEY and JOSIAH C. COCKS,  
*Administrative Patent Judges.*

PATENT OWNER CUOZZO'S NOTICE OF APPEAL

Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel  
Madison Building East, 10B20  
600 Dulaney Street  
Alexandria, VA 22314-5793

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Cuozzo Speed Technologies LLC (“Cuozzo”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on November 13, 2013 (Paper 59) (the “Final Written Decision”), and from all underlying orders, decisions, rulings and opinions, including without limitation the Decision to Initiate Trial for *Inter Partes* Review entered on January 9, 2013 (Paper 15).

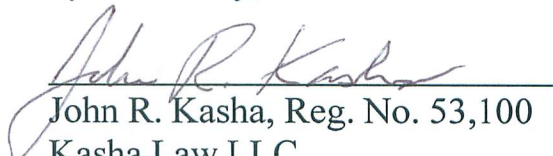
In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner Cuozzo further indicates that the issues on appeal include, but are not limited to, the Patent Trial and Appeal Board’s application and use of the broadest reasonable interpretation standard, claim construction, institution of *inter partes* review based on grounds not raised by Petitioners, determinations of the conception date and reasonable diligence in the reduction of practice of the inventions recited in claims 10, 14 and 17 of Cuozzo’s U.S. Patent No. 6,778,074 (“’074 Patent”), determination of unpatentability of claims 10, 14 and 17 of the ‘074 Patent under 35 U.S.C. § 103, denial of Cuozzo’s motion to amend the claims of the ‘074 Patent, and any finding

or determination supporting or related to those issues, as well as all other issues decided adversely to Patent Owner Cuozzo in any orders, decisions, rulings and opinions.

Patent Owner Cuozzo also hereby appeals that the United States Patent and Trademark Office exceeded its statutory authority under 35 U.S.C. § 314 by instituting *inter partes* review as to claims 10 and 14 of the '074 Patent on grounds not raised by Petitioners, and that the United States Patent and Trademark Office violated 37 C.F.R. § 42.108 by instituting *inter partes* review as to claims 10 and 14 of the '074 Patent on grounds not raised by Petitioners.

Simultaneous with this submission, a copy of this Notice of Appeal is being filed with the Patent Trial and Appeal Board and the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Respectfully submitted this 8<sup>th</sup> day of January, 2014.

  
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*Counsel for Patent Owner  
Cuozzo Speed Technologies LLC*



**CERTIFICATE OF SERVICE**

I hereby certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System (PRPS), the original version of the foregoing, PATENT OWNER CUOZZO'S NOTICE OF APPEAL, was filed by hand on this 8<sup>th</sup> day of January, 2014, with the Director of the United States Patent and Trademark Office, at the following address:

Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel  
Madison Building East, 10B20  
600 Dulaney Street  
Alexandria, VA 22314-5793

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing, PATENT OWNER CUOZZO'S NOTICE OF APPEAL, was filed electronically on this 8<sup>th</sup> day of January, 2014, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit:

United States Court of Appeals for the Federal Circuit  
717 Madison Place, N.W., Suite 401  
Washington, DC 20005

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing, PATENT OWNER CUOZZO'S NOTICE OF APPEAL, was served, in accordance with the

parties' electronic service agreement, by electronic mail on this 8<sup>th</sup> day of January, 2014, on the following counsel of record for Petitioners Garmin International, Inc. et al.

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Respectfully submitted,

  
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