

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ALARM.COM INC.  
Petitioner

v.

VIVINT, INC.  
Patent Owner

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Case No. IPR2016-00116  
Patent 6,147,601

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**PETITIONER'S NOTICE OF APPEAL**

Mail Stop PATENT BOARD  
Patent Trial and Appeal Board  
US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. §§ 141, 142 and 319 and 37 C.F.R. § 90.2(a), Petitioner Alarm.com Incorporated hereby appeals from the Final Written Decision of the Patent Trial and Appeal Board entered on May 2, 2017 (Paper 39) in the above-captioned *inter partes* review of United States Patent No. 6,147,601, and from all underlying orders, decisions, rulings and opinions related thereto and included therein. Patent Owner Vivint, Inc. filed an initial notice of appeal on June 22, 2017. This appeal is timely under 37 C.F.R. § 90.3(a) and Rule 4(a)(3) of the Federal Rules of Appellate Procedure.

Once the present appeal is docketed, Petitioner respectfully requests that the Court consolidate this appeal with the appeals of related *inter partes* review proceedings IPR2016-00173 and IPR2016-00161, concurrently filed today, into one single appeal for briefing and argument. Petitioner further requests that the Federal Circuit treat this appeal as a cross-appeal from the Patent Owner's appeal of related *inter partes* review proceedings IPR2016-00116, Case No. 17-2218.

For the purposes of 37 C.F.R. § 90.2(a)(3)(ii), the issues on appeal include the Board's determination that Petitioner did not show that claims 5, 8, 9, 19–21, 26–28, 30, 31, 33–37 and 39–41 of U.S. Patent No. 6,147,601 are unpatentable under 35 U.S.C. § 103 in view of the grounds of unpatentability on which *inter partes* review was instituted. The issues on appeal also include any

finding or determination supporting or related to the aforementioned issues as well as all other issues decided adversely to Petitioner in any order, decision, ruling, phone conference or opinion.

Pursuant to 37 C.F.R. § 90.2(a)(1), a true and correct copy of this Notice of Appeal is being mailed simultaneously with the Office of the General Counsel of the United States Patent and Trademark Office and a true and correct copy of the same, along with the required docketing fee, is being filed with the Clerk of the United States Court of the United States Court of Appeals for the Federal Circuit as set forth in the accompanying Certificate of Filing.

Respectfully submitted,

Dated: July 5, 2017

By: /s/ William H. Mandir  
William H. Mandir  
Registration No. 32,156  
Counsel for Petitioner

**CERTIFICATE OF FILING AND FEE PAYMENT**

The undersigned hereby certifies that, in addition to being electronically filed with the Board through PTAB E2E, a true and correct copy of the above-captioned **PETITIONER'S NOTICE OF APPEAL** is being mailed to the Office of the General Counsel on July 5, 2017, at the following address:

**Office of the General Counsel,  
United States Patent and Trademark Office**  
P.O. Box 1450  
Alexandria, VA 22314

The undersigned also hereby certifies that a true and correct copy of the above-captioned **PETITIONER'S 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 5, 2017.

Respectfully submitted,

Dated: July 5, 2017

By: /s/ William H. Mandir  
William H. Mandir  
Registration No. 32,156  
Counsel for Petitioner

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **PETITIONER'S NOTICE OF APPEAL** was served electronically via e-mail on July 5, 2017, in its entirety on the following counsel for Patent Owner:

Robert Greene Sterne ([rsterne-PTAB@skgf.com](mailto:rsterne-PTAB@skgf.com))  
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*Counsel of Record for the Patent Owner in this proceeding*

Respectfully submitted,

Dated: July 5, 2017

By: /s/ William H. Mandir  
William H. Mandir  
Registration No. 32,156  
Counsel for Petitioner