

UNITED STATES PATENT AND TRADEMARK OFFICE

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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 IPR2016-00116  
Patent 6,147,601

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**PATENT OWNER'S NOTICE OF APPEAL OF DECISION ON  
REMAND**

via PTAB E2E  
Patent Trial and Appeal Board

via U.S.P.S. Priority Mail Express®  
Director of the United States Patent and Trademark Office  
c/o Office of the General Counsel, 10B20  
Madison Building East  
600 Dulany Street  
Alexandria, VA 22314

via CM/ECF  
United States Court of Appeals for the Federal Circuit

## INTRODUCTION

Vivint, Inc.’s (“Patent Owner”) appeal stems from the Patent Trial and Appeal Board’s Decision on Remand entered on July 24, 2019 (Paper 55) (“Decision on Remand”) in the above-captioned *inter partes* review of United States Patent No. 6,147,601 (“the ’601 Patent”). This notice is timely filed within 63 days of the Decision on Remand. 37 C.F.R. § 90.3(a)(1).

## PATENT OWNER’S APPEAL

Please take notice that under 35 U.S.C. §§ 141(c), 142, 319; 37 C.F.R. §§ 90.2(a), 90.3(a), and Federal Rules of Appellate Procedure/Federal Circuit Rule 4(3)(a), Patent Owner hereby appeals to the United States Court of Appeals for the Federal Circuit from the Decision on Remand.

## PATENT OWNER’S ISSUES ON APPEAL

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner’s issues on appeal include at least: (i) the Board’s finding that claims 26, 27, and 33-35 of the ’601 Patent are unpatentable as obvious over Shetty; (ii) the Board’s finding that claim 28 of the ’601 patent is unpatentable as obvious over the combination of Shetty and Levac; (iii) Board’s finding that claim 36 of the ’601 patent is unpatentable as obvious over the combination of Shetty and French; and (iv) any finding or determination supporting or related to the aforementioned issues as well

as all other issues decided adversely to Patent Owner in any order, decision, ruling, phone conference decision, and/or opinion.

Simultaneously with this submission, Patent Owner is 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.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

Jason D. Eisenberg, Reg. No. 43,447  
Attorney for Patent Owner

Date: September 25, 2019  
1100 New York Avenue, N.W.  
Washington, D.C. 20005  
(202) 371-2600

**CERTIFICATION OF FILING**

The undersigned hereby certifies that, in addition to being electronically filed through PTAB E2E, a true and correct copy of the above-captioned **PATENT OWNER'S NOTICE OF APPEAL OF DECISION ON REMAND** is being filed by U.S.P.S. Priority Mail Express® with the Director on September 25, 2019 at the following address:

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

The undersigned also hereby certifies that a true and correct copy of the above-captioned **PATENT OWNER'S NOTICE OF APPEAL OF DECISION ON REMAND** 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 September 25, 2019.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason D. Eisenberg/

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Attorney for Patent Owner

Date: September 25, 2019  
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**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that the foregoing **PATENT OWNER'S NOTICE OF APPEAL OF DECISION ON REMAND** was served electronically via e-mail on September 25, 2019, in its entirety on the following:

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