

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TWITTER, INC.,
Petitioner

v.

VIDSTREAM LLC,
Patent Owner

Case IPR2017-01131
Patent No. 8,464,304 B2

PETITIONER'S NOTICE OF APPEAL

via E2E
Patent Trial and Appeal Board

via Hand Delivery
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

Pursuant to 35 U.S.C. §§ 141-44 and 319, and 37 C.F.R. § 90.2-90.3, notice is hereby given that Petitioner Twitter, Inc. ("Petitioner") appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered January 23, 2019 (Paper 71) in IPR2017-01131, and all prior and interlocutory rulings related thereto or subsumed therein.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Twitter, Inc.'s issues on appeal include at least:

(i) the Board erred in finding that claims 1, 4, 5, 8, 9, 11-17, 19-26 and 28-30 of U.S. Patent No. 8,464,304 B2 were not shown to be unpatentable; and

(ii) any findings or determinations supporting or related to the aforementioned issues as well as all other issues decided adversely to Twitter, Inc. in any orders, decisions, rulings, phone conference decisions, and/or opinions.

Pursuant to 37 C.F.R. § 90.3, this Notice of Appeal is timely filed within 63 days of the Final Written Decision dated January 23, 2019.

Simultaneously with this submission, Twitter, Inc. 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,

Dated: March 25, 2019

/David L. McCombs/
David L. McCombs
Reg. No. 32,271

CERTIFICATE 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 PETITIONER'S NOTICE OF APPEAL is being filed by hand with the Director on March 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 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 March 25, 2019.

Respectfully submitted,

Dated: March 25, 2019

/David L. McCombs/
David L. McCombs
Reg. No. 32,271
Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing PETITIONER'S NOTICE OF APPEAL was served electronically via e-mail on March 25, 2019, in its entirety on the following counsel for Patent Owner:

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Respectfully submitted,

Dated: March 25, 2019

/David L. McCombs/
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