

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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MICROSOFT CORPORATION and HP INC.,  
Petitioners

v.

SYNKLOUD TECHNOLOGIES, LLC.,  
Patent Owner

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Case IPR2020-00316

Patent 9,098,526

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**PATENT OWNER'S NOTICE OF APPEAL**  
**35 U.S.C. § 142 & 37 C.F.R. § 90.2**

Pursuant to 37 C.F.R. § 90.2(a), Patent Owner, SYNKLOUD TECHNOLOGIES, LLC, hereby provides notice of its appeal to the United States Court of Appeals for the Federal Circuit for review of the Final Written Decision of the United States Patent and Trademark Office (“USPTO”) Patent Trial and Appeals Board (“PTAB”) in Inter Partes Review 2020-00316, concerning U.S. Patent 9,098,526 (“the ’526 patent”), entered on June 14, 2021, attached hereto as Appendix A.

#### **ISSUES TO BE ADDRESSED ON APPEAL**

- A. Whether the PTAB erred in its construction of the claims?
- B. Whether the PTAB erred in ruling that claims 1–5, 9, 11, 12, 16, 18–20 would have been obvious under § 103(a) over McCown and Dutta?
- C. Whether the PTAB erred in ruling that claims 6–8, 10, 13–15, 17 would have been obvious under § 103(a) over McCown, Dutta and Coates?

Simultaneous with submission of this Notice of Appeal to the Director of the United States Patent and Trademark Office, this Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, this Notice of Appeal, along with the required docketing fees, is being filed with the United States Court of Appeals for the Federal Circuit.

Dated: August 11, 2021

Respectfully submitted,

*/Gregory J. Gonsalves/*

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## **CERTIFICATE OF SERVICE**

The undersigned certifies that in addition to being filed electronically through the Patent Trial and Appeal Board's E2E system the foregoing PATENT OWNER'S NOTICE OF APPEAL was served on the Director of the United States Patent and Trademark Office, at the following address (in accordance with 37 C.F.R. §§ 90.2(a), 104.2):

Director of the United States Patent and Trademark Office

c/o Office of the General Counsel

United States Patent and Trademark Office

P.O. Box 1450 Alexandria, Virginia 22313-1450

## **CERTIFICATE OF FILING**

The undersigned certifies that on August 11, 2021, a true and correct copy of the foregoing PATENT OWNER'S NOTICE OF APPEAL was filed electronically with the Clerk's Office of the United States Court of Appeals for the Federal Circuit at the following address:

Clerk of Court

United States Court of Appeals for the Federal Circuit

717 Madison Place NW

Washington, DC 20005

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