

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC., LINKEDIN CORP., and TWITTER, INC.,
Petitioner,

v.

SOFTWARE RIGHTS ARCHIVE, LLC,
Patent Owner.

Case IPR2013-00479
Patent 5,832,494

Before SALLY C. MEDLEY, CHRISTOPHER L. CRUMBLEY, and
BARBARA A. PARVIS, *Administrative Patent Judges*.

PATENT OWNER'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 Dulany Street
Alexandria, VA 22314-5793

Notice is hereby given, pursuant to 37 C.F.R. § 90.2(a), that Patent Owner Software Rights Archive, LLC hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Written Decision entered on February 2, 2015 (Paper 54), and from all underlying orders, decisions, rulings and opinions, including without limitation the Decision on the Institution of *Inter Partes* Review entered on February 3, 2014 (Paper 18).

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Patent Owner further indicates that the issues on appeal may include, but are not limited to:

1. Whether the Patent Trial and Appeal Board's claim construction was correct, including at least the claim term "database";
2. The Patent Trial and Appeal Board's determination of unpatentability of claims 18-20, 45, 48, 49, 51, and 54 of U.S. Patent No. 5,832,494 under 35 U.S.C. § 103(a); and
3. Any finding, claim interpretation, or determination supporting or related to those issues such as the Board's findings on objective evidence of non-obviousness and on whether indirect relationships are useful for search or degrade search results and are too unreliable for search and the applicability of the prior art

to hyperlink relationships on the world wide web, as well the Board's ultimate conclusion of obviousness and all other issues decided adversely to Patent Owner in any orders, decisions, rulings and opinions.

Simultaneous with this submission, a copy of the Notice of Appeal is being filed with the Patent Trial and Appeal Board. In addition, three copies of this Notice of Appeal, along with the required docketing fees, are being filed with the Clerk's Office for the United States Court of Appeals for the Federal Circuit.

Date: April 1, 2015

Respectfully submitted,
By: /s/ Martin M. Zoltick
Martin M. Zoltick, Reg. No. 35,745
Nancy J. Linck, Reg. No. 31,920
Soumya P. Panda, Reg. No. 60,447
**ROTHWELL, FIGG, ERNST &
MANBECK, P.C.**
607 14th Street, N.W., Suite 800
Washington, DC 20005
Phone: 202-783-6040
Facsimile: 202-783-6031
Emails: mzoltick@rfem.com
nlinck@rfem.com
spanda@rfem.com

Victor G. Hardy, *Pro Hac Vice*
**DINOVO PRICE ELLWANGER &
HARDY LLP**
7000 North MoPac Expressway
Suite 350
Austin, TX 78731

Phone: 214-948-3334
Facsimile: 214-853-9410
Email: vhardy@dpelaw.com

*Attorneys for Patent Owner
Software Rights Archive, LLC*

CERTIFICATE OF FILING

I hereby certify that, in addition to being filed electronically through the Board's PRPS System, the original version of the foregoing, PATENT OWNER'S NOTICE OF APPEAL, was filed by hand on this 1st day of April, 2015, 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 Dulany Street
Alexandria, VA 22314-5793

CERTIFICATE OF FILING

I hereby certify that three (3) true and correct copies of the foregoing, PATENT OWNER'S NOTICE OF APPEAL, were filed by hand on this 1st day of April, 2015, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit, at the following address:

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'S NOTICE OF APPEAL, was served, in accordance with the parties' electronic service agreement, by electronic mail on this 1st day of April, 2015, upon the following lead, backup and *pro hac vice* counsel of record for Petitioners Facebook, Inc., LinkedIn Corp. and Twitter, Inc.:

Heidi L. Keefe – Lead Counsel for all Petitioners
Cooley LLP
1299 Pennsylvania Ave., N.W., Suite 700
Washington, DC 20004
Ph: 650-843-5001
Fx: 650-849-7400
E-mail: hkeefe@cooley.com

Mark R. Weinstein – *Pro Hac Vice* Backup Counsel for Facebook, Inc.
Cooley LLP
1299 Pennsylvania Ave., N.W., Suite 700
Washington, DC 20004
Ph: 650-843-5007
Fx: 650-849-7400
E-mail: mweinstein@cooley.com

David Silbert – *Pro Hac Vice* Backup Counsel for LinkedIn Corp. and Twitter, Inc.
Keker & Van Nest LLP
633 Battery Street
San Francisco, CA 94111
Ph: 415-391-5400
Fx: 415-397-7188
E-mail: djs@kvn.com

Asim M. Bhansali – *Pro Hac Vice* Counsel for LinkedIn Corp. and Twitter, Inc.
Keker & Van Nest LLP
633 Battery Street
San Francisco, CA 94111
Ph: 415-391-5400
Fx: 415-397-7188
E-mail: abhansali@kvn.com

Sharif E. Jacobs – *Pro Hac Vice* Counsel for LinkedIn Corp. and Twitter, Inc.
Keker & Van Nest LLP
633 Battery Street
San Francisco, CA 94111
Ph: 415-391-5400
Fx: 415-397-7188
E-mail: sjacob@kvn.com

/s/ Erik van Leeuwen

Erik van Leeuwen
Litigation Operations Coordinator
Rothwell, Figg, Ernst & Manbeck, P.C.