

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG TELECOMMUNICATIONS AMERICA, LLC,
CISCO SYSTEMS, INC., and AVAYA, INC.,
Petitioner,

v.

STRAIGHT PATH IP GROUP, INC.
Patent Owner

Case IPR2014-01367¹
Patent 6,009,469 C1

PETITIONERS' NOTICE OF APPEAL

Mail Stop Patent Board
Patent Trial and Appeal Board
P.O. Box 1450
Alexandria, VA 22313-1450

¹ IPR2015-01011 has been joined with this proceeding.

Pursuant to 37 C.F.R. § 90.2(a), notice is hereby given that Petitioners Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC (“Petitioner”) appeal to the United States Court of Appeals for the Federal Circuit from the March 4, 2016 Final Written Decision (Paper No. 45) in IPR2014-01367, and from all underlying orders, decisions, rulings and opinions.

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), Petitioner states that anticipated issues on appeal include, but are not limited to:

(1) Whether the Board erred when it determined that Petitioner had not met its burden of proving claims 1-3, 5, 6, 9, 10, 14, 17, and 18 of United States Patent No. 6,009,469 (“the ’469 patent”) unpatentable under 35 U.S.C. § 103;

(2) Whether the Board correctly construed “is connected”;

(3) Whether the Board erred when it determined that WINs (Ex. 1012) did not disclose the “is connected” limitation;

(4) Whether the Board erred when it determined that NetBIOS (Ex. 1014) did not disclose the “is connected” limitation;

(5) Whether the board erred when it sua sponte reconsidered its holding that claim 10 is not unpatentable because it depended from claim 8, which the patent owner cancelled in an earlier reexamination.

A copy of this 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.

Dated: May 5, 2016

Respectfully Submitted,

/s/ Brian Erickson

Brian K. Erickson

Registration No. 48,895

DLA PIPER LLP (US)

401 Congress Avenue, Suite 2500

Austin, TX 78701-3799

Telephone: 512-457-7000

Facsimile: 512-457-7001

Email: Samsung-SP-

IPR@dlapiper.com

CERTIFICATE OF SERVICE

I certify that, in addition to being filed electronically through the Patent Trial and Appeal Board's Patent Review Processing System, the original version of PETITIONERS' NOTICE OF APPEAL was filed by hand on this 5th day of May 2016, 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 SERVICE

I certify that PETITIONERS' NOTICE OF APPEAL was filed electronically on this 5th day of May 2016, with the Clerk's Office of the United States Court of Appeals for the Federal Circuit:

United States Court of Appeals for the Federal Circuit
717 Madison Place, N.W., Suite 401
Washington, D.C. 20005

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing, PETITIONERS' NOTICE OF APPEAL, was served by electronic mail on the following counsel:

For Straight Path IP Group, Inc.:

William A. Meunier (Reg. No. 41,193)
Matthew Durell (Reg. No. 55,136)
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, MA 02111
Tel: (617) 348-1615
Fax: (617) 542-2241
StraightPathIPRs@mintz.com

For Cisco Systems, Inc. and AVAYA Inc.:

David L. Cavanaugh (Reg. No. 36,476)
Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue NW
Washington, DC 20006
david.cavanaugh@wilmerhale.com

Dated: May 6, 2016

/s/ Brian Erickson
Brian K. Erickson
Registration No. 48,895
DLA PIPER LLP (US)
401 Congress Avenue, Suite 2500
Austin, TX 78701-3799
Telephone: 512-457-7000
Facsimile: 512-457-7001
Samsung-SP-IPR@dlapiper.com