

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACTIVISION BLIZZARD, INC. ELECTRONIC ARTS INC.,
TAKE-TWO INTERACTIVE SOFTWARE, INC.,
2K SPORTS, INC. AND ROCKSTAR GAMES, INC.
Petitioners

v.

ACCELERATION BAY, LLC
Alleged Patent Owner

Case: IPR2016-00747
Patent No. 6,732,147

PETITIONER'S NOTICE OF APPEAL

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
United States Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450
Submitted Electronically via the Patent Review Processing System

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Petitioners hereby provide notice that they appeal to the United States Court of Appeals for the Federal Circuit from the Final Written Decision of the Patent Trial and Appeal Board (“the Board”) entered September 6, 2017 (Paper 50) and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent 6,732,147 (“the ’147 patent”) at issue in *inter partes* review IPR2016-00747.

The issues on appeal, pursuant to 37 C.F.R. § 90.2(a)(3)(ii) include, but are not limited to:

(1) the Board’s determination that Petitioner has not shown, by a preponderance of the evidence, that claims 6-10 of the ’147 Patent are unpatentable under 35 U.S.C. § 103 over Shoubridge, Denes, Rufino and Todd, including:

- (i) the Board’s determination that the combination of Shoubridge, Denes, Rufino and Todd does not teach having a third computer not already connected to said first computer respond to said connection port search message in a manner as to maintain an m-regular graph; and
- (ii) the Board’s determination that a person of ordinary skill in the art would not have been motivated to combine the teachings of Shoubridge, Denes, Rufino and Todd, including to apply the messaging techniques disclosed in Rufino to coordinate the node

removal operation disclosed in the Denes and Shoubridge
combination;

- (2) any finding or determination supporting or related to those issues; and
- (3) other issues decided adversely to Petitioners in any orders, decisions, rulings, and opinions.

Copies of Petitioners' Notice of Appeal are being filed simultaneously with the Director of the United States Patent and Trademark Office, the Patent Trial and Appeal Board, and the United States Court of Appeals for the Federal Circuit.

Dated: November 8, 2017

Respectfully submitted,

/Michael M. Murray/

Michael M. Murray

Reg. No. 32,537

*Lead Counsel for Petitioners Activision
Blizzard, Inc., Electronic Arts Inc.,
Take-Two Interactive Software, Inc., 2K
Sports, Inc., and Rockstar Games, Inc.*

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Washington, DC 20006

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), the undersigned certifies that a true and correct copy of the foregoing Petitioner's Notice of Appeal was served on November 8, 2017, by filing this document through the PTAB E2E system as well as delivering via electronic mail upon the following counsel of record for Patent Owner:

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In addition, the foregoing Petitioner's Notice of Appeal was filed by Express Mail on November 8, 2017, with the United States Patent and Trademark Office at the following address:

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

The undersigned hereby certifies that the foregoing Petitioner's Notice of Appeal was electronically filed with the United States Court of Appeals for the Federal Circuit through CM/ECF and pay.gov on November 8, 2017. Pursuant to Federal Circuit Rule 15, one paper copy of the foregoing was simultaneously sent to the Clerk of the United States Court of Appeals for the Federal Circuit.

Dated: November 8, 2017

Respectfully submitted,

/Michael M. Murray/

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Reg. No. 32,537

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