

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. AND
SAMSUNG ELECTRONICS AMERICA, INC.
Petitioners,

v.

CELLECT, LLC,
Patent Owner.

Case No. IPR2020-00512
U.S. Patent No. 9,186,052

**PATENT OWNER CELLECT, LLC'S
NOTICE OF APPEAL**

Pursuant to 35 U.S.C. §§ 141 and 142 and 37 C.F.R. §§ 90.2 and 90.3, Patent Owner, Collect, LLC, hereby provides notice that it appeals 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 August 17, 2021 (Paper 32) and the Order denying request for Director review entered October 29, 2021 (Paper 34), and from all underlying orders, decisions, rulings, and opinions regarding U.S. Patent 9,186,052 (“the ’052 Patent”) at issue in *inter partes* review case IPR2020-00512.

The issues on appeal, pursuant to 37 C.F.R. § 90.2(a)(3)(ii) include, but are not limited to, the Board’s interpretation and construction of the claims; the Board’s determination that Petitioner showed by a preponderance of the evidence that Claim 2 of the ’052 Patent is unpatentable under 35 U.S.C. § 103 over WO Application Publication No. 95/34988 (“Swift”), Ricquier’s “*CIVIS Sensor: A Flexible Smart Imager with Programmable Resolution,*” Charge-Coupled Devices and Solid State Optical Sensors IV, Vol. 2172, International Society for Optics and Photonics, 1994 (“Ricquier”) in view of U.S. Patent No. 5,233,426 (“Suzuki”); that Claim 2 of the ’052 Patent is unpatentable under 35 U.S.C. § 103 over U.S. Patent No. 5,541,640 (“Larson”), Swift, Ricquier in view of Suzuki; the Board’s interpretation of Ricquier’s off-chip driving circuit; motivations to modify and combine Swift, Ricquier in view of Suzuki, and Larson, Swift, Ricquier in view of

Patent Owner's Notice of Appeal
IPR2020-00512 (U.S. Patent No. 9,186,052)

Suzuki; the Board's use of background references to satisfy claim elements; any finding or determination supporting or related to those issues; the Board's treatment of the evidence of secondary considerations, as well as other issues decided adversely to Collect, LLC in any orders, decisions, rulings, and opinions.

Copies of Patent Owner's 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.

Patent Owner's Notice of Appeal
IPR2020-00512 (U.S. Patent No. 9,186,052)

Respectfully submitted,

Dated: December 15, 2021

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(Case No. IPR2020-00512)

Attorneys for Patent Owner

CERTIFICATE OF SERVICE

The undersigned certifies, in accordance with 37 C.F.R. § 42.6(e), that service was made on the Petitioner as detailed below.

Date of service December 15, 2021

Manner of service Electronic Mail
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Documents served PATENT OWNER'S NOTICE OF APPEAL

Persons Served Scott A. McKeown
James L. Davis, Jr.
Carolyn Redding

In addition, the foregoing Patent Owner's Notice of Appeal was filed by Express Mail on December 15, 2021, 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 Patent Owner'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 December 15, 2021.

Patent Owner's Notice of Appeal
IPR2020-00512 (U.S. Patent No. 9,186,052)

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