

EXHIBIT A

For Opinion See [2010 WL 429233](#) , [2009 WL 3793380](#) , [2009 WL 3837018](#)

Board of Patent Appeals and Interferences.

Ex Parte NTP, INC.

Application No. 90/006,677.

June 24, 2003.

Applicant: Campana, Jr. et al.

[Patent: 5,479,472](#)

Title: System for Interconnecting Electronic Mail Systems By RF Communications and Method of Operation Thereof

TC/Art Unit: 2645

Examiner: Scott Weaver

Docket No. 49671.000006

Confirmation No.: 5442

Appeal Brief

Of Counsel: [Brian M. Buroker](#), Registration No. 39,125, [Christopher C. Campbell](#), Registration No. 37,291, Hunton & Williams LLP, 1900 K Street, N.W., Washington, D.C. 20006-1109, Telephone: (202) 955-1500, Facsimile: (202) 778-2201.

In response to the Office Action dated August 22, 2006, rejecting claims 1-62 and 112- 157 appellants respectfully request that the Board of Patent Appeals and Interferences reconsider and withdraw the rejections of record, and allow the pending claims, which are attached hereto as an Appendix A.

I. REAL PARTY IN INTEREST

The real party in interest is NTP, Inc., the assignee of the above-referenced application.

II. RELATED APPEALS AND INTERFERENCES

This appeal is related to the co-pending appeal of the final rejections in the following reexamination proceedings:

- 1) Reexamination proceeding for [U.S. Patent No. 5,436,960](#) assigned Control Nos. 90/006,533; 90/006,675 and 90/007,731.
- 3) Reexamination proceeding for [U.S. Patent No. 5,438,611](#) assigned Control No. 90/006,676.
- 4) Reexamination proceeding for [U.S. Patent No. 5,625,670](#) assigned Control Nos. 90/006533; 90/006678 and 90/007723.
- 5) Reexamination proceeding for [U.S. Patent No. 5,631,946](#) assigned Control Nos. 90/006,492 and 90/006,679.

submission for *ex parte* reexamination proceedings.

Patent Owner strongly disagreed with the Office's position in the Decision and filed a Petition to reconsider the Office's Decision. The Office denied the Petition to reconsider on August 22, 2006. Patent Owner filed a petition to reconsider its decision on October 23, 2006. Patent Owner may also take other actions to ensure that the record for review by the Board is complete. As such, Patent Owner reserves the right to supplement the record for appeal with evidence, argument and other information in the future.

IX. CONCLUSION

Patent Owner contends that the Final Office Action should be reversed on each and every ground of rejection and objection. The Board is respectfully requested to direct the Office to issue a Notice of Intent to Issue a Reexamination Certificate and to terminate the above-identified merged reexamination proceedings.

Patent Owner also authorizes the Director to credit any fees required to the undersigned's Deposit Account No. XXXXXXXX.

Dated: December 19, 2006

Sturm & Fix, LLP

Midland Building

206 Sixth Avenue, 1213

Des Moines, IA 50309-4076

(515) 288-9589 (telephone)

(515) 288-4860 (facsimile)

Carl I. Brundidge

Registration No.: 29,621

Mattingly, Stanger, Malur & Brundidge, P.C.

1800 Diagonal Road, Suite 370

Alexandria, VA 22314

Telephone: (703) 684-1120

Facsimile: (703) 684-1157

END OF DOCUMENT