UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION
Petitioner

v.

STRAIGHT PATH IP GROUP, INC.
(FORMERLY KNOWN AS INNOVATIVE COMMUNICATIONS TECHNOLOGIES, INC.)
Patent Owner

INTER PARTES REVIEW OF U.S. PATENT NO. 6,108,704
Case IPR No.: *To Be Assigned*

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 6,108,704 UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 *et seq.*

Filed on behalf of Petitioner

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TABLE OF AUTHORITIES

Cases

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