

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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HTC CORPORATION and HTC AMERICA, INC.

Petitioners

v.

E-WATCH, INC. and E-WATCH CORPORATION

Patent Owner

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CASE: To Be Assigned

Patent No. 7,643,168 B2

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**PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 7,643,168 B2**

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## EXHIBIT LIST

- Ex. 1001 U.S. Patent No. 7,643,168 B2 to David A. Monroe (“the 168 Patent”)
- Ex. 1002 Certified Translation of the Japanese Patent Application Publication No. H06-133081 to Morita (“Morita”) and the corresponding Japanese language patent application
- Ex. 1003 U.S. Patent No. 5,477,264 to Sarbadhikari *et al.* (“Sardabhikari”)
- Ex. 1004 PCT Application Publication No. WO 95/23485 to Longginou (“Longginou”)
- Ex. 1005 U.K. Patent Application GB 2,289,555 A to Wilska *et al.* (“Wilska”)
- Ex. 1006 European Patent Application Publication No. 0594992 A1 to Yamagishi (“Yamagishi-992”)
- Ex. 1007 U.S. Patent No. 5,550,754 B2 to McNelley *et al.* (“McNelley”)
- Ex. 1008 Declaration of Kenneth Parulski including Attachments A-D (“Parulski Declaration”)

## **I. INTRODUCTION**

Pursuant to 35 U.S.C. § 311 and 37 C.F.R. § 42.100, HTC Corporation and HTC America, Inc. (“Petitioners”) petition for *inter partes* review of claims 1-6, 8, 10-11, 13-18, 21-29 and 31 (“the Challenged Claims”) of U.S. Pat. No. 7,643,168 B2 (“the 168 Patent,” Ex. 1001). E-Watch, Inc. and E-Watch Corp. are referred to as “Patent Owner” because the 168 Patent is assigned to E-Watch, Inc. based on USPTO records, and E-Watch Corp. claims to be the exclusive licensee of the 168 Patent in their complaint filed under Case No. 2:13-cv-01063. This Petition demonstrates a reasonable likelihood that Petitioners will prevail with respect to at least one of the Challenged Claims which are unpatentable under 35 U.S.C. §103.

## **II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(B)**

### **A. REAL PARTY IN INTEREST**

HTC Corporation and HTC America, Inc. are the real parties in interest.

### **B. RELATED MATTERS**

Patent Owner is asserting the 168 Patent and U.S. Pat. No. 7,365,871 B2 against Petitioners in an on-going patent infringement lawsuit in *E-WATCH, INC. and E-WATCH CORP. et al. v. HTC et al.*, 2:13-cv-01063 filed in the E. District of Texas on Dec. 9, 2013, and against other entities in 9 other lawsuits. In addition, Petitioners are pursuing a petition for *inter partes* review of the 871 Patent.

### **C. NOTICE OF COUNSEL AND SERVICE INFORMATION**

Pursuant to 37 C.F.R. §§ 42.8(b)(3) and 42.10(a), Petitioners appoint Bing

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