U.S. PATENT 6,853,142 Petition for *Inter Partes* Review

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By: Michael A. Diener, Reg. No. 37,122

Larissa B. Park, Reg. No. 59,051

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, MA 02109 Tel: (617) 526-6000

Email: Michael.Diener@wilmerhale.com

Larissa.Park@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

THE GILLETTE COMPANY Petitioner

V.

ZOND, INC. Patent Owner

IPR Trial No. TBD

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 6,853,142 CHALLENGING CLAIMS 2, 11, 13, 14 AND 16 UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104



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TABLE OF AUTHORITIES

In re ICON Health & Fitness, Inc., 496 F.3d 1374, 1379 (Fed. Cir. 2007)

37 C.F.R. §42.22(a)(1)

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37 C.F.R. §42.104(a)

37 C.F.R. §42.104(b)(1)-(5)

77 Fed. Reg. 48764 (Aug. 14, 2012)

35 U.S.C. § 315(c)

37 C.F.R. § 42.22

37 C.F.R. § 42.122(b)



I. MANDATORY NOTICES

A. Real Party-in-Interest

The Gillette Company ("Petitioner"), a wholly-owned subsidiary of the Procter & Gamble Co., is the real party-in-interest.

B. Related Matters

Zond has asserted U.S. Patent No. 6,853,142 ("142 Patent") (Ex. 1101) against numerous parties in the District of Massachusetts, 1:13-cv-11570-RGS (*Zond v. Intel*); 1:13-cv-11577-DPW (*Zond v. AMD*, Inc., *et al*); 1:13-cv-11581-DJC (*Zond v. Toshiba Am. Elec. Comp. Inc.*); 1:13-cv-11591-RGS (*Zond v. SK Hynix, Inc.*); 1:13-cv-11625-NMG (*Zond v. Renesas Elec. Corp.*); 1:13-cv-11634-WGY (*Zond v. Fujitsu, et al.*); and 1:13-cv-11567-DJC (*Zond v. Gillette, Co.*).

The below-listed claims of the '142 Patent are presently the subject of a substantially identical petition for *inter partes* review styled Intel Corporation v. Zond, Inc., which was filed March 13, 2014 and assigned Case No. IPR2014-00495. Petitioner will seek joinder with that *inter partes* review under 35 U.S.C. § 315(c), 37 C.F.R. §§ 42.22 and 42.122(b).

C. Counsel

Lead Counsel: Michael A. Diener (Reg. No. 37,122)

Backup Counsel: Larissa B. Park (Reg. No. 59,051)

D. Service Information



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