

Filed on behalf of: Samsung Electronics Co., Ltd. and
Samsung Electronics America, Inc.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.
Petitioner

v.

E-WATCH, INC.
Patent Owner

Patent No. 7,643,168

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

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Statutes

35 U.S.C. § 102(b)8
35 U.S.C. § 103(a)8

Other Authorities

37 C.F.R. § 42.8(b)1
37 C.F.R. § 42.15(a).....3
37 C.F.R. §42.100(b)5

LIST OF EXHIBITS

1001	U.S. Patent No. 7,643,168 to Monroe, as filed in IPR2014-00989
1002	Certified Translation of Japanese Patent Application Publication No. H06-133081 to Morita and the corresponding Japanese language patent application, as filed in IPR2014-00989
1003	U.S. Patent No. 5,477,264 to Sarbadhikari et al., as filed in IPR2014-00989
1004	PCT Application Publication No. WO 95/23485 to Longginou, as filed in IPR2014-00989
1005	U.K. Patent Application GB 2,289,555 to Wilska et al., as filed in IPR2014-00989
1006	European Patent Application Publication No. 0594992 to Yamagishi, as filed in IPR2014-00989
1007	U.S. Patent No. 5,550,754 to McNelley et al., as filed in IPR2014-00989
1008	Declaration of Kenneth Parulski including Attachments A-D, as filed in IPR2014-00989
1009	<i>HTC Corp. v. e-Watch, Inc.</i> , IPR2014-00989, Petition, Paper No. 1 (June 19, 2014)
1010	<i>HTC Corp. v. e-Watch, Inc.</i> , IPR2014-00989, Institution Decision, Paper No. 6 (Dec. 9, 2014)
1011	Excerpts from <i>Microsoft Computer Dictionary</i> (2nd ed. 2002), as filed in IPR2014-00989

I. INTRODUCTION

Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Petitioner”) request *inter partes* review of claims 1-6, 8, 10-11, 13-18, 21-29, and 31 of U.S. Patent No. 7,643,168 (“the ’168 Patent”) (Ex. 1001), which is assigned to e-Watch, Inc. (“Patent Owner”). On December 9, 2014, the Board instituted an *inter partes* review of the same claims based on a petition filed by HTC Corporation and HTC America, Inc. (“HTC”) in IPR2014-00989 (“HTC IPR”) (*see* Ex. 1010 at 8-23; Ex. 1009 at 12-59). This Petition proposes the same grounds of rejection proposed in the HTC IPR and adopted by the Board, and relies on the same analysis, evidence, and expert testimony. Therefore, Petitioner submits concurrently herewith a request for joinder with the HTC IPR. If joinder is not granted, Petitioner requests that a proceeding be instituted based on this Petition.

This Petition shows, by a preponderance of the evidence, that there is a reasonable likelihood that Petitioner will prevail based on prior art that was not considered during prosecution, and that renders the claims obvious. Accordingly, the challenged claims should be found unpatentable and canceled.

II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8

Real Party-in-Interest: Petitioner identifies Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. as the real parties-in-interest.

Related Matters: Patent Owner has asserted the ’168 Patent and U.S. Patent

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