

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

By:  
Steven L. Park (stevenpark@paulhastings.com)  
Naveen Modi (naveenmodi@paulhastings.com)  
Elizabeth L. Brann (elizabethbrann@paulhastings.com)  
Paul Hastings LLP

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

~~HTC CORPORATION and HTC~~

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

Petitioner

v.

~~E-WATCH, INC. and E-WATCH CORPORATION~~

Patent Owner

~~CASE: To Be Assigned~~

Petition for *Inter Partes* Review – Patent No. 7,643,168

Patent No. 7,643,168-B2

**PETITION FOR *INTER PARTES* REVIEW**

**OF U.S. PATENT NO. 7,643,168-B2**

**TABLE OF CONTENTS**

~~EXHIBIT LIST OF EXHIBITS ..... iiiii~~

I. INTRODUCTION ..... 14

II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(B) ..... 24

~~A. REAL PARTY IN INTEREST ..... 24~~

~~B. RELATED MATTERS ..... 24~~

~~C. NOTICE OF COUNSEL AND SERVICE INFORMATION ..... 42~~

III. REQUIREMENTS FOR INTER PARTES REVIEW PAYMENT OF FEES UNDER 37 C.F.R. § 42.15(a) ..... 3 2

IV. REQUIREMENTS FOR INTER PARTES REVIEW ..... 3

~~A. GROUND FOR STANDING ..... 52~~

~~B. IDENTIFICATION OF CHALLENGE, 37 C.F.R. § 42.104(b) ..... 52~~

~~1. Claims Challenged ..... 52~~

~~2. The Prior Art ..... 53~~

~~3. Supporting Evidence Relied Upon For The Challenge ..... 63~~

~~4. Statutory Ground(s) Of Challenge And Legal Principles ..... 63~~

~~5. Claim Construction under 37 C.F.R. § 42.100(b) ..... 63~~

~~6. How Claims Are Unpatentable Under Statutory Grounds Pursuant to 37 C.F.R. § 42.104 (b)(2) ..... 63~~

IV. OVERVIEW OF THE '168 PATENT ..... 63

VI. PROPOSED CLAIM CONSTRUCTION ..... 5

~~A. PRIORITY DATE OF THE CLAIMS OF THE 168 PATENT ..... 63~~

~~B. SUMMARY OF THE 168 PATENT ..... 74~~

~~C. PROPOSED CLAIM CONSTRUCTION ..... 85~~

<del>VII.</del>	<del>THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE 168 PATENT IS DETAILED EXPLANATION OF UNPATENTABLE</del> .....	<del>106</del>
A.	IDENTIFICATION OF THE REFERENCES AS PRIOR ART...	<del>126</del>
<del>B.</del>	<del>SUMMARY OF INVALIDITY POSITIONS</del> .....	<del>1610</del>
<del>C.</del>	<del>DIFFERENT INVALIDITY POSITIONS AGAINST EACH CLAIM ARE INDEPENDENT, DISTINCTIVE AND NOT REDUNDANT</del> .....	<del>1711</del>
<del>VI.</del>	<del>DETAILED EXPLANATION OF FOR UNPATENTABILITY GROUNDS FOR CLAIMS 1-6, 8, 10-11, 13-18, 21-29 AND 31</del> .....	<del>1813</del>
<del>BA.</del>	<del>GROUND 1: CLAIMS 1-6, 8, 10, 11, 13-15, 21-29 AND 31 ARE UNPATENTABLE UNDER 35 U.S.C. § 103(a) AS BEING OBVIOUS OVER MORITA AND SARBADHIKARI</del> ...	<del>1813</del>
<del>CB.</del>	<del>GROUND 2: CLAIMS 16-18 ARE OBVIOUS UNDER 35 U.S.C. § 103(a) OVER MORITA, SARBADHIKARI, AND LONGGINOU</del> .....	<del>4135</del>
<del>DC.</del>	<del>GROUND 3: CLAIMS 1-6, 8, 10, 11, 16-18, 21, 22, 24, 26, 27 AND 29 ARE UNPATENTABLE UNDER 35 U.S.C. § 103(a) AS BEING OBVIOUS OVER WILSKA AND YAMAGISHI-992</del> .....	<del>4539</del>
<del>ED.</del>	<del>GROUND 4: CLAIMS 13-15, 23, 25, 28 AND 31 ARE OBVIOUS UNDER 35 U.S.C. § 103(a) OVER WILSKA, YAMAGISHI-992 AND MCNELLEY</del> .....	<del>57 60</del>
<del>F.</del>	<del>THE BOARD SHOULD ADOPT ALL GROUNDS</del> .....	<del>60</del>
<del>VIII.</del>	<del>CONCLUSION</del> .....	<del>6062</del>

**TABLE OF AUTHORITIES**

**Page(s)**

**Cases**

*KSR Int’l Co. v. Teleflex Inc.*,  
550 U.S. 398 (2007).....*passim*

**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

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