

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SHARP CORPORATION, SHARP ELECTRONICS CORPORATION, and  
SHARP ELECTRONICS MANUFACTURING  
COMPANY OF AMERICA, INC.,  
Petitioners

v.

SURPASS TECH INNOVATION LLC  
Patent Owner

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Case IPR2015-00913  
Patent 7,420,550

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**PATENT OWNER SURPASS TECH INNOVATION LLC'S  
PRELIMINARY RESPONSE**

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## LIST OF PATENT OWNER'S EXHIBITS

<u>Exhibit</u>	<u>Description</u>
2001	“Petitioner and His Money are Soon Parted: Separate Fee Payments Do Not Reduce Risk of Non-Institution of Redundant Grounds”; Authored by M. Carniaux and M. Sander; interpartesreviewblog.com, dated November 13, 2014 (accessed June 1, 2015)
2002	Joint Stipulation to Stay Cases Pending <i>Inter Partes</i> Review, filed November 20, 2014
2003	Order Granting Joint Stipulation to Stay Cases Pending <i>Inter Partes</i> Review, entered November 21, 2014

## I. Introduction

- a. The Serial Nature of This Petition is an Abuse of the Administrative Process

The Sharp entities (the “Sharp Petitioners”) filed the current Petition for *inter partes* review of claims 1-5 of U.S. Patent No. 7,420,550 (“the ‘550 patent”) on March 20, 2015. But this filing is the second attempt by the Sharp Petitioners to challenge the validity of the ‘550 patent within a six-month period, and represents only the most recent of many similar requests for Board resources filed by a common group of accused infringers in litigation with Patent Owner Surpass Tech Innovation LLC (“Surpass”).

On October 3, 2014, the Sharp Petitioners filed two petitions for IPR against Surpass: IPR2015-00021 challenging claims 1, 4, 8, and 9 of U.S. Patent No. 7,202,843; and IPR2015-00022 challenging claims 1-5 of the ‘550 patent (hereinafter these petitions will be collectively referred to as the “First Round Petitions”).<sup>1</sup>

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<sup>1</sup> Because Patent Owner Surpass has already introduced the ‘550 patent and its claims in its preliminary response in IPR2015-00022, this Preliminary Response will begin by explaining the many reasons why this second-bite at the apple should

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