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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.,
Petitioner

v.

CONVERGENT MEDIA SOLUTIONS, LLC,
Patent Owner

IPR2016-00047

Patent 8,640,183

Method and Apparatus for Browsing Using Alternative Linkbases

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT 8,640,183

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TABLE OF AUTHORITIES

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Cases

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3-15-cv-02158 (N.D. Tex.)2

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Phillips v. AWH Corp.,
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35 U.S.C. § 103(a)4, 7, 9

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LIST OF EXHIBITS

Exhibit	Description
EX1001	U.S. Patent No. 8,640,183 B2 to Richard Reisman
EX1002	Declaration of Jon Weissman, Ph.D.
EX1003	U.S. Patent No. 8,479,238 B2 to Chen, et al. (“Chen”)
EX1004	U.S. Patent No. 7,483,958 B1 to Elabbady, et al. (“Elabbady”)
EX1005	U.S. Patent Application Publication No. 2003/0073412 to William K. Meade, II (“Meade”)
EX1006	<i>Merriam-Webster’s Collegiate Dictionary</i> (10th ed. 2000) (definition of “unified”)
EX1007	Excerpts of Prosecution History for U.S. Patent No. 8,640,183
EX1008	Petitioner’s Voluntary Interrogatory Responses
EX1009	<i>Microsoft Computer Dictionary</i> (5th ed. 2002) (definitions of “UPnP” and “URL”)

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