

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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WTS Paradigm, LLC,

Petitioner,

v.

EdgeAQ, LLC,

Patent Owner.

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Case IPR2016-00199

Patent 7,805,461

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**EDGEAQ, LLC'S PRELIMINARY RESPONSE TO PETITION**

Filed on behalf of EdgeAQ, LLC

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Patent Owner, EdgeAQ, LLC (the “Patent Owner”), pursuant to 35 U.S.C. § 313 and 37 C.F.R. § 42.107, submits its Preliminary Response to WTS Paradigm, LLC’s (the “Petitioner”) Petition for *Inter Partes* Review of U.S. Patent No. 7,805,461 (“the ‘461 Patent”).

## **I. INTRODUCTION**

This Petition is the third of three post-grant proceedings filed by Petitioner against a set of patents owned by Patent Owner. CBM2015-0064; CBM2015-00055. The ‘461 Patent has been involved in pending litigation proceedings before the United States District Court for the Western District of Wisconsin, *WTS Paradigm, LLC v. EdgeAQ, LLC*, Case No. 15-CV-330. However, in that case, Patent Owner has moved to dismiss its claim of infringement based on the ‘461 Patent. That motion is still pending.

In this Petition, Petitioner asserts that claims 1-11 (which comprise all of the claims in the ‘461 Patent) should be invalidated on the basis of obviousness. Patent Owner intends to vigorously contest the Petition if the Board initiates *Inter Partes* Review. However, for purposes of its preliminary response, Patent Owner submits that the Petitioner has so clearly failed to carry its burden under the “reasonable likelihood” standard that the Board should not initiate *Inter Partes* Review. As demonstrated below, none of the prior art cited by Petitioner discloses an induction module configured to present pre-defined questions about

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