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UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD

Paper No. ___

SONY CORPORATION, SONY MOBILE COMMUNICATIONS (USA) INC., SONY MOBILE COMMUNICATIONS AB & SONY MOBILE COMMUNICATIONS INC.

Petitioners

v.

CREATIVE TECHNOLOGY LIMITED Patent Owner

Case No. TBD Patent No. 6,928,433

PETITION FOR INTER PARTES REVIEW UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.1 et seq.



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CASES

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