

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.
Petitioner

v.

VALENCELL, INC.
Patent Owner

Case IPR2017-00321
U.S. Patent No. 8,923,941

**PETITIONER APPLE INC.'S LIST OF ALLEGED
MISREPRESENTATIONS OF FACT AND INCONSISTENT
STATEMENTS**

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Patent Trial and Appeal Board
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioner Apple Inc. hereby submits a List of Alleged Misrepresentations of Fact and Inconsistent Statements pursuant to the Board's Order of April 12, 2017 (Paper 8). Petitioner provides a simple listing of citations to misstatements of fact from the Preliminary Response in IPR2017-00319 and IPR2017-00321:

IPR2017-00319

1. P. 27, line 18 – p. 28, line 1.

IPR2017-00321

2. P. 31, lines 11-12.
3. P. 33, lines 7-11.
4. P. 33, lines 12-16.

The Table below identifies a statement from the Preliminary Response in IPR2017-00319 and a corresponding inconsistent statement from the Preliminary Response in IPR2017-00321.

IPR2017-00319 (Paper 6)	IPR2017-00321(Paper 6)
p. 27, line 18-19	p. 16, line 16-18

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Michael D. Specht/

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Date: April 14, 2017

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CERTIFICATION OF SERVICE (37 C.F.R. § 42.6(e))

The undersigned hereby certifies that on April 14, 2017, true and correct copies of the foregoing **PETITIONER APPLE INC.'S LIST OF ALLEGED MISREPRESENTATIONS OF FACT AND INCONSISTENT STATEMENTS** was served electronically via email in their entirety on the following counsel of record for Patent Owner:

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