

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

SPEX TECHNOLOGIES, INC.
Patent Owner

Patent No. 6,088,802
Filing Date: June 4, 1997
Issue Date: July 11, 2000
Title: PERIPHERAL DEVICE WITH INTEGRATED SECURITY
FUNCTIONALITY

**SPEX TECHNOLOGIES, INC.'S
MANDATORY NOTICES PURSUANT TO
37 C.F.R. §42.8(a)(2)**

Case No. IPR2017-00430

Pursuant to 37 C.F.R. § 42.8(a)(2), Patent Owner, SPEX Technologies, Inc., hereby files its Mandatory Notices. Unified did not use Priority Mail Express for service, but instead used Priority Mail, which is not a “means at least as fast and reliable as Priority Mail Express.” 37 C.F.R. §§ 42.6(e)(1); 42.105(b). The Petition was received by counsel of record for SPEX on December 19, 2016. Accordingly, these notices are timely filed within 21 days of December 19, 2016.

I. 37 C.F.R § 42.8(b)(1) – REAL PARTY-IN-INTEREST

The patent owner and real party-in-interest is SPEX Technologies, Inc.

II. 37 C.F.R § 42.8(b)(2) – RELATED MATTERS

Pursuant to 37 C.F.R § 42.8(b)(2), Patent Owner notes the following related matters where Patent Owner asserted U.S. Patent No. 6,088,802 (“the ’802 Patent”):

- *SPEX Technologies, Inc. v. Kingston Technology Company Inc., et al.*, No. 8:16-cv-01790 (C.D. Cal. Filed Sept. 27, 2016);
- *SPEX Technologies, Inc. v. Western Digital Corporation, et al.*, No. 8:16-cv-01799 (C.D. Cal. Filed Sept. 28, 2016);
- *SPEX Technologies, Inc. v. Toshiba America Electronics Components Inc., et al.*, No. 8:16-cv-01800 (C.D. Cal. Filed Sept. 28, 2016);
- *SPEX Technologies, Inc. v. CMS Products, Inc.*, No. 8:16-cv-01801 (C.D. Cal. Filed Sept. 28, 2016);

- *SPEX Technologies, Inc. v. Integral Memory, PLC*, No. 8:16-cv-01805 (C.D. Cal. Filed Sept. 28, 2016);
- *SPEX Technologies, Inc. v. Apricorn*, No. 2:16-cv-07349 (C.D. Cal. Filed Sept. 28, 2016).

Additionally, U.S. Patent No. 6,003,135 to Bialick, et al., entitled “Modular Security Device” issued from a commonly owned patent application (U.S. Patent Appl. No. 08/869,120) filed on the same day as the ’802 patent application (U.S. Patent Appl. No. 08/869,305), with the same inventive entity as the ’305 application, which was identified as related in the ’305 application, and the disclosure of which was incorporated by reference in the ’305 application.

III. 37 C.F.R § 42.8(b)(3) – DISCLOSURE OF COUNSEL

Pursuant to 37 C.F.R § 42.8(b)(3), Patent Owner identifies lead and back-up counsel as follows:

Lead Counsel: Vincent J. Rubino, III (Reg. No. 68,504)

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IV. 37 C.F.R § 42.8(b)(4) – CORRESPONDENCE

Pursuant to 37 C.F.R § 42.8(b)(4), Patent Owner requests that all electronic correspondence be directed to lead counsel and back-up counsel at the above address. Patent Owner also consents to electronic service by email at the following addresses: plambrianakos@brownrudnick.com; afabricant@brownrudnick.com; and vrubino@brownrudnick.com.

Dated: January 9, 2017

By: /Vincent J. Rubino, III /
Vincent J. Rubino, III (Reg. No. 68,504)
Lead Counsel for Patent Owner
Brown Rudnick LLP

¹ Alfred Fabricant is identified as back-up counsel subject to appropriate *pro hac vice* motion to be filed upon authorization.

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