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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.
Petitioner

v.

SPEX TECHNOLOGIES, INC.
Patent Owner

IPR2017-00430
Patent 6,088,802

**PETITION FOR *INTER PARTES* REVIEW OF
U.S. PATENT 6,088,802
CHALLENGING CLAIMS 1–39
UNDER 35 U.S.C. § 312 AND 37 C.F.R. § 42.104**

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I. MANDATORY NOTICES

A. Real Party-in-Interest

Pursuant to 37 C.F.R. § 42.8(b)(1), Unified Patents Inc. (“Unified” or “Petitioner”) certifies that Unified is the real party-in-interest, and further certifies that no other party exercised control or could exercise control over Unified’s participation in this proceeding, the filing of this petition, or the conduct of any ensuing trial. In this regard, Unified has submitted voluntary discovery. *See* EX1027 (Petitioner’s Voluntary Interrogatory Responses).

B. Related Matters

U.S. Patent 6,088,802 (“the ’802 Patent” (EX1001)) is owned by SPEX Technologies, Inc. (“SPEX” or “Patent Owner”). *See* EX1028 (Kingston Complaint), at 12.

On September 27, 2016, SPEX filed a lawsuit in the Central District of California alleging infringement of the ’802 Patent in *SPEX Technologies, Inc. v. Kingston Technology Company Inc., et al.*, No. 8:16-cv-01790 (C.D. Cal. Filed Sept. 27, 2016).

On September 28, 2016, SPEX filed five additional lawsuits also in the Central District of California and also alleging infringement of the ’802 Patent in *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*

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