

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

IMMERSION CORPORATION,
Patent Owner.

Case IPR2016-00897
Patent No. 8,773,356

**IMMERSION CORPORATION'S
PATENT OWNER PRELIMINARY RESPONSE**

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U.S. Patent and Trademark Office
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Immersion Corp. v. Apple et al.,
Nos. 1-16-cv-00077 and 1:16-cv-00325 (D. Del.)1

*In the Matter of: Certain Mobile and Portable Electronic Devices
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Other Authorities

37 C.F.R. § 42.23(a)1

37 C.F.R. § 42.108(a)8

EXHIBIT LIST

Immersion Ex. 2001	Respondents' Joint Notice of Prior Art, dated May 25, 2016
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STATEMENT OF MATERIAL FACTS IN DISPUTE

Petitioner Apple, Inc. did not submit a statement of material facts in this Petition. Accordingly, no response is due pursuant to 37 C.F.R. § 42.23(a), and no facts are admitted.

I. INTRODUCTION

The Patent Trial and Appeal Board (“Board”) should deny Apple, Inc.’s second petition for *inter partes* review (“Petition”) of U.S. Patent No. 8,773,356 (the “356 patent”) under 35 U.S.C. § 325(d) to stop Apple’s pattern of filing serial petitions against Immersion Corp.’s (“Patent Owner”) patent portfolio in an effort to harass Patent Owner and drive up litigation costs.

The ‘356 patent along with U.S. Patent Nos. 8,619,051 (the “051 patent”); 8,659,571 (the “571 patent”); 8,581,710 (the “710 patent”); 8,749,507 (the “507 patent”); 7,336,260 (the “260 patent”) and 7,808,488 (the “488 patent”) are the subject of the following cases: *Immersion Corp. v. Apple et al.*, Nos. 1-16-cv-00077 and 1:16-cv-00325 (D. Del.) (stayed); *In the Matter of: Certain Mobile and Portable Electronic Devices Incorporating Haptics (Including Smartphones and Laptops) and Components Thereof*, ITC Investigation Nos. 337-TA-990 and -1004 (consolidated).

Apple has filed two petitions, sequential in time, for *each patent* asserted in the aforementioned proceedings. The IPR petitions and dates for each patent are

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