

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.

Petitioner

v.

SILVER STATE INTELLECTUAL TECHNOLOGIES, INC.

Patent Owner

Case No.: IPR2017-01531

Patent No. 7,650,234

**PATENT OWNER'S PRELIMINARY RESPONSE
PURSUANT TO 37 CFR §42.107**

SEEKING TO IMPROPERLY WASTE THE BOARD'S AND PATENT OWNER'S RESOURCES.....	7
A. The Petition Seeks To Resolve A Controversy That Has Already Been Resolved	7
B. The Petition Is The First Of Multiple Petitions Copied From Previously- terminated IPRs	9
C. The Board Is Well Within Its Authority And Board Precedent In Refusing To Waste Its Resources By Granting The Petition.....	10
D. Denying Unified's Petition Would Not Unfairly Burden Unified, And Would Protect The Integrity Of The Office.....	13
III. PATENT OWNER DOES NOT CONSENT TO <i>INTER PARTES</i> REVIEW, WHICH MAY BE UNCONSTITUTIONAL	15
IV. CONCLUSION.....	19

IPR2016-01443.....	11-12, 14
<i>Google Inc. v. Silver State Intellectual Technologies, Inc.</i> IPR2015-01737.....	7, 8
<i>Google Inc. v. Silver State Intellectual Technologies, Inc.</i> IPR2015-01738.....	7, 8, 9, 12
<i>Google Inc. v. Silver State Intellectual Technologies, Inc.</i> IPR2015-01746.....	7, 8
<i>Google Inc. v. Silver State Intellectual Technologies, Inc.</i> IPR2015-01747.....	7, 8
<i>Google Inc. v. Silver State Intellectual Technologies, Inc.</i> IPR2015-01748.....	7, 8
<i>Oil States Energy Services, LLC v. Green's Energy Group, LLC</i> Case 16-712 (U.S. June 12, 2017).....	14
<i>Samsung Electronics Co., Ltd. v Nvidia Corporation</i> IPR2015-01270 & IPR2015-01314.....	11
<i>Unified Patents Inc. v. Silver State Intellectual Technologies, Inc.</i> IPR2017-01531.....	9, 12
<i>Zetec, Inc. v Westinghouse Electric Company, LLC,</i> IPR2014-00384.....	10

35 U.S.C. §314	10
35 U.S.C. §316	11
OTHER AUTHORITIES	
37 CFR §42.23	5
37 CFR §42.71	11
37 C.F.R §42.107	6

statement of material facts in its Petition. Accordingly, no response is due pursuant to 37 C.F.R §42.23(a), and no facts are admitted.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.