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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC.

Petitioner

v.

FALL LINE PATENTS, LLC

Patent Owner

CASE IPR2018-00043

PATENT 9,454,748

**PATENT OWNER'S PRELIMINARY RESPONSE TO PETITION FOR
INTER PARTES REVIEW OF U.S. PATENT NO. 9,454,748
CHALLENGING CLAIMS 16-19 AND 21-22**

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PATENT OWNER'S EXHIBIT LIST

January 9, 2018

EX2001	October 16, 2014 email to The Honorable Michelle K. Lee from Kevin Jakel, CEO, Unified Patents, pages 1-3
EX2002	Publication by Unified Patents entitled "The Gloves are Off: Unified Patents Inc. Unveils its "NPE Deterrent" Strategy, posted on September 23, 2013 in Press Releases, pages 1-5
EX2003	Printout from Unified Patents FAQ - entitled Frequently Asked Questions , pages 1-10
EX2004	Publication by Unified Patents entitled "Unified Patents Challenges Clouding IP Patent seeks To Push Patent Trolls out of Cloud Storage", September 17, 2013, pages 1-4
EX2005	The Wall Street Journal article from 02/11/2006 entitled "New Venture Enters Patent Fray", pages 1-4

**PATENT OWNER'S PRELIMINARY RESPONSE TO PETITION FOR *INTER PARTES*
REVIEW OF U.S. PATENT NO. 9,454,748**

I. Introduction

Fall Line Patents, LLC (hereinafter “Patentee), the owner of the entire interest in U.S. Patent No. 9,454,748 (hereinafter the ‘748pPatent) hereby tenders its Preliminary Response to Petition for *Inter Partes* Review (“IPE”) of the ‘748 patent. The above-mentioned petition (hereinafter the “Petition”), which is now assigned Case IPR2018-00043, was filed by Unified Patents, Inc. (hereinafter “Petitioner”) and accorded the filing date of October 6, 2017. As explained in detail below, there is no reasonable likelihood that Petitioner would prevail in establishing anticipation or obviousness of any of the challenged claims during *inter partes* review.

II. Background of the Case

Litigation Involving the Subject Patent

The ‘748 patent is presently the subject of patent infringement lawsuits filed in the Eastern District of Texas against the following entities:

Case Caption	Number
Fall Line Patents, LLC v. Choice Hotels Int’l, Inc.	6:17-cv-00407
Fall Line Patents, LLC v. Uber Technologies, Inc.	6:17-cv-00408
Fall Line Patents, LLC v. Cinemark Holdings, Inc., et al.	6:17-cv-00203

In addition to the cases listed above, Patentee states that the two cases listed below were also filed in the Eastern District of Texas and both involved the ‘748 patent. However, both cases have now been dismissed, but notice of the termination of these cases is not yet of record in the Patent Office:

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