UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNIFIED PATENTS, INC.

Petitioner

v.

UNILOC LUXEMBOURG, S.A.[1]

Patent Owner

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IPR2018-00199

PATENT 7,092,671

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PATENT OWNER RESPONSE TO PETITION

PURSUANT TO 37 C.F.R. §42.120

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[1] The owner of this patent is Uniloc 2017 LLC.

Table of Contents

TABLE OF EXHIBITS

Exhibit No.	Description
2001	Screenshot of the home page for Unified Patents, Inc. for the date, April 13, 2013, as retrieved from the Internet Archive's Wayback Machine (WBM), *available at* https://web.archive.org/web/20130413073000/http://www. unifiedpatents.com:80/solution/unified_patents.html.
2002	An article by Marta Belcher and John Casey entitled Hacking the Patent System: A Guide to Alternative Patent Licensing for Innovators. Juelsgaard Intellectual Property & Innovation Clinic, Stanford Law School (2014), as archived by the Internet Archive's Wayback Machine (WBM), *available at* https://web.archive.org/web/20140905000728/http://unifiedpate nts.com:80/wp–content/uploads/2014/06/hacking_the_patent_sy stem.pdf.
2003	Screenshot of Unified Patents' public webpage entitled Benefits for Large Company Members, as archived by the WBM, *available at* https://web.archive.org/web/20130907064849/http://www.unifie dpatents.com:80/benefits/large_companies.html.
2004	Screenshot of Unified Patents' public webpage entitled Compare Unified Patents to Other Options, as archived by the WBM, *available at* https://web.archive.org/web/20140606010956/http://unifiedpate nts.com:80/.
2005	A collection of documents produced and Bates Labeled by Petitioner Unified Patents
2006	Declaration of Brett A. Mangrum

I.   INTRODUCTION

Uniloc Luxembourg S.A. (the "Uniloc" or "Patent Owner") submits this Response to Petition IPR2018-00199 for *Inter Partes* Review ("Pet." or "Petition") of United States Patent No. 7,092,671 ("the '671 patent" or "EX1001") filed by Unified Patents ("Unified" or "Petitioner"). The instant Petition is procedurally and substantively defective for at least the reasons set forth herein.

II.   PETITIONER FAILED TO NAME AND REFUSES TO NAME ALL REAL PARTIES IN INTEREST

The Petition should be denied as procedurally deficient because Unified, a non-practicing entity, failed to name (and has refused to name) all privies and real parties in interest. Since its formation in 2012, Unified has received substantial funds from its subscribing clients to mount *inter partes* review ("IPR") challenges in instances where those clients have been sued for patent infringement. This questionable business model is intended to "allow members to benefit from *inter partes* review of dubious patents without becoming the 'real parties-in-interest' in the review."[1] Hiding behind their proxy Unified, these fee-paying clients can then seek to avoid the estoppel provisions of 35 U.S.C. § 315, in contravention of the express intent of Congress.

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[1] EX2005, Marta Belcher and John Casey, *Hacking the Patent System: A Guide to Alternative Patent Licensing for Innovators*, Juelsgaard Intellectual Property & Innovation Clinic, Stanford Law School (2014), as archived by the WBM, *available at* https://web.archive.org/web/20140905000728/http://unifiedpatents .com:80/wp−content/uploads/2014/06/hacking_the_patent_system.pdf.

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