

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

UNILOC USA Inc.,
Patent Owner

PETITION FOR *INTER PARTES* REVIEW OF

U.S. PATENT NO. 8,712,723

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PETITIONER'S EXHIBIT LIST

May 4, 2018

Ex.1001	U.S. Patent No. 8,712,723
Ex.1002	Prosecution History of U.S. Patent No. 8,712,723
Ex.1003	Declaration of Joe Paradiso, Ph.D, under 37 C.F.R. § 1.68
Ex.1004	Curriculum Vitae of Joe Paradiso
Ex.1005	U.S. Patent No. 7,463,997 to Fabio Pasolini et al. ("Pasolini")
Ex.1006	U.S. Patent No. 7,698,097 to Fabio Pasolini et al. ("Fabio")
Ex.1007	U.S. Patent No. 5,976,083 to Richardson et al. ("Richardson")
Ex.1008	Reserved
Ex.1009	Reserved
Ex.1010	Reserved
Ex.1011	Excerpts from Robert L. Harris, INFORMATION GRAPHICS: A COMPREHENSIVE ILLUSTRATED REFERENCE (1996) ("Harris")

I. INTRODUCTION

U.S. Patent No. 8,712,723 (“the ’723 Patent,” Ex.1001) is generally directed to a device for “monitoring human activity, and more particularly to counting periodic human motions.” Ex.1001, 1:13-15. The claims of the ’723 Patent are directed to two separate step detection concepts. The first concept is a known technique for determining which of three axes in a tri-axial accelerometer is a “dominant axis with respect to gravity.” The second concept is a known technique for updating a “cadence window” corresponding to a user’s steps. As shown below, these concepts were known in the prior art before the priority date of the ’723 Patent.

Accordingly, this Petition and the cited evidence demonstrates that claims 4 and 19 of the ’723 Patent are unpatentable under (pre-AIA) 35 U.S.C. § 103(a). Apple Inc. (“Petitioner”) therefore respectfully requests that these claims be held unpatentable and cancelled.

II. MANDATORY NOTICES

A. Real Party-in-Interest

The real party-in-interest is Apple Inc.

B. Related Matters

As of the filing date of this Petition and to the best knowledge of the petitioner, the ’723 Patent has been asserted in the following cases:

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