

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC., SAMSUNG ELECTRONICS AMERICA, INC.  
Petitioner;

v.

UNILOC LUXEMBOURG, S.A.;  
Patent Owner

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U.S. Patent No. 8,872,646

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**PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 8,872,646**

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<u>Ex. 1003</u>	<u>U.S. Patent No. 7,409,291 to Pasolini <i>et al.</i> (“Pasolini”)</u>
<u>Ex. 1004</u>	<u><i>Using the LIS3L02AQ Accelerometer</i>, Ron Goldman, Sun Microsystems Inc. Dated February 23, 2007. (“Goldman”)</u>
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<u>Ex. 1007</u>	<u><i>Using Gravity to Estimate Accelerometer Orientation</i>, David Mizell, Proceedings of the Seventh IEEE International Symposium on Wearable Computers (ISWC '03) 2003. (“Mizell”)</u>
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## I. INTRODUCTION

U.S. Patent No. 8,872,646 (“the ’646 Patent,” ~~APPL-Ex.~~ 1001) is generally directed to waking a device from a low power state in response to detected acceleration. Specifically, the claims of the ’646 Patent recite well-known accelerometer techniques that involve (i) removing glitches, (ii) capturing accelerometer samples while at rest, (iii) measuring the current acceleration, and (iv) waking the device from the low power state in response to detecting acceleration. However, before the ’646 Patent, POSITAs were already using such techniques.

Accordingly, the evidence in this ~~petition~~ Petition demonstrates that claims 1, 3, 5- 11, 13-18, and 20 of the ’646 Patent are unpatentable under (pre-AIA) 35 U.S.C. § 103. ~~Apple Inc.~~ Samsung Electronics America, Inc. (“Petitioner”) therefore respectfully requests that claims 1, 3, 5-11, 13-18, and 20 be held invalid and cancelled.

This Petition is being submitted concurrently with a Motion for Joinder. Specifically, Petitioner requests institution and joinder with *Apple Inc. v. Uniloc Luxembourg SA*, IPR2018-00289 (“the Apple IPR Proceeding”), which the Board instituted on June 11, 2018.

## II. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8

### A. Real Party-in-Interest

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