

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA), INC.
Petitioner,

v.

FRACTUS, S.A.
Patent Owner.

Case IPR2018-01461
Patent 9,054,421

**NOTICES OF THE PATENT OWNER
PURSUANT TO 37 C.F.R. § 42.8**

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I. REAL PARTY IN INTEREST

Fractus, S.A., is the patent owner by assignment.

II. RELATED MATTERS

The following listing includes pending matters related to the present IPR proceeding:

- *Fractus, S.A. v. ZTE Corporation, ZTE (USA), Inc., and ZTE (TX), Inc.*, Civil Action No. 2:17-cv-00561-JRG (E.D. Tex.);
- *ZTE (USA), INC., v. Fractus, S.A.*, IPR2018-01451, U.S. Patent No. 7,397,431 (PTAB);
- *ZTE (USA), INC., v. Fractus, S.A.*, IPR2018-01455, U.S. Patent No. 7,394,432 (PTAB);
- *ZTE (USA), INC., v. Fractus, S.A.*, IPR2018-01456, U.S. Patent No. 8,941,541 (PTAB);
- *ZTE (USA), INC., v. Fractus, S.A.*, IPR2018-01457, U.S. Patent No. 8,976,069 (PTAB);
- *ZTE (USA), INC., v. Fractus, S.A.*, IPR2018-01461, U.S. Patent No. 9,054,421 (PTAB) (the present proceeding);
- *ZTE (USA), INC., v. Fractus, S.A.*, IPR2018-01462, U.S. Patent No. 9,240,632 (PTAB);

- *ZTE (USA), INC., v. Fractus, S.A.*, IPR2018-01463, U.S. Patent No. 9,362,617 (PTAB).

The table below identifies prior *inter partes* reviews involving U.S. Patent No. 9,054,421 ("the '421 patent") or involving a parent, child, or sibling patent.

<i>Inter Partes</i> Reviews	Resolution
IPR2014-00008 for U.S. Patent No. 7,123,208	Institution Denied
IPR2014-00012 for U.S. Patent No. 7,394,432	Institution Denied
IPR2014-00011 for U.S. Patent No. 7,397,431	Institution Denied
IPR2014-00013 for U.S. Patent No. 7,015,868	Institution Denied

The table below identifies prior *inter partes* reexaminations involving the '421 patent or a parent, child, or sibling patent.

<i>Inter Partes</i> Reexaminations	Resolution
95/001,483 for U.S. Patent No. 7,394,432	Terminated
95/001,500 for U.S. Patent No. 7,394,432	Terminated
95/002,349 for U.S. Patent No. 7,394,432	Dismissed
95/000,588 for U.S. Patent No. 7,394,432	Terminated
95/001,482 for U.S. Patent No. 7,397,431	Terminated
95/000,586 for U.S. Patent No. 7,397,431	Terminated
95/001,497 for U.S. Patent No. 7,397,431	Terminated
95/002,346 for U.S. Patent No. 7,397,431	Dismissed
95/001,455 for U.S. Patent No. 7,528,782	Reexamination Certificate Issued
95/000,595 for U.S. Patent No. 7,528,782	Reexamination Certificate Issued
95/001,499 for U.S. Patent No. 7,528,782	Reexamination Certificate Issued
95/002,332 for U.S. Patent No. 7,015,868	Dismissed
95/001,390 for U.S. Patent No. 7,015,868	Terminated
95/000,589 for U.S. Patent No. 7,015,868	Terminated
95/001,498 for U.S. Patent No. 7,015,868	Terminated
95/002,305 for U.S. Patent No. 7,123,208	Dismissed
95/001,389 for U.S. Patent No. 7,123,208	Terminated
95/000,591 for U.S. Patent No. 7,123,208	Terminated
95/001,501 for U.S. Patent No. 7,123,208	Terminated

The table below identifies prior *ex parte* reexaminations involving the '421 patent or a parent, child, or sibling patent.

Ex Parte Reexaminations	Resolution
90/013,025 for U.S. Patent No. 7,015,868	Reexamination Certificate Issued
90/013,022 for U.S. Patent No. 7,123,208	Reexamination Certificate Issued
90/013,024 for U.S. Patent No. 7,394,432	Reexamination Certificate Issued
90/013,023 for U.S. Patent No. 7,397,431	Reexamination Certificate Issued

The table below identifies prior district court litigations involving the '421 patent or involving a parent, child, or sibling patent.

District Court Litigation	Resolution
<i>Fractus, S.A. v. Samsung Electronics Co., Ltd. et al., No. 6:09-cv-00203 (E.D. Tex)</i>	Final Judgment of Infringement and Validity entered against Petitioner on June 28, 2012, settled while under appeal to the Federal Circuit.
<i>Fractus, S.A. v. Samsung Electronics Co., Ltd. et al., No. 6:09-cv-00421 (E.D. Tex)</i>	Owner was granted an on-going royalty in all adjudicated products, settled while under appeal to the Federal Circuit.
<i>Fractus, S.A. v. Samsung Electronics Co., Ltd. et al., No. 6:13-cv-00210 (E.D. Tex)</i>	Stayed pending Federal Circuit Appeal No. 12-1633, dismissed in response to settlement between the parties.

The table below identifies prior or concurrent Federal Circuit appeals involving the '421 patent or involving a parent, child, or sibling patent.

Federal Circuit Appeals	Resolution
<i>Fractus, S.A. v. Samsung Electronics Co., No. 12-1633</i>	Dismissed in response to settlement between the parties.

III. LEAD AND BACK-UP COUNSEL

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